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DEBATES

OF THE

HOUSE OF COMMONS,

OF THE

DOMINION OF CANADA.

REPORTED AND EDITED BY A. M. BURGESS.

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TABLE OF CONTENTS.

HOUSE OF COMMONS.

THURSDAY, FEBRUARY 4th.

MEETING OF PARLIAMENT. Page

THE MEMBERS OF THE HOUSE attend at the Bar of the Senate to hear the Speech from the Throne by HIS EXCELLENCY the GOVERNOR GENERAL. 1

CERTIFICATES AND REPORTS from Judges, relating to the Trial of Controverted Elections 1

NOTIFICATIONS OF VACANCIES 2

NEW MEMBERS 2

SPEECH FROM THE THRONE, of which Mr. Speaker reported that he had received a copy 2

VOTES AND PROCEEDINGS—*Resolved*—That the same shall be printed 3

SELECT STANDING COMMITTEES 3

Oaths of Office Bill—

Read the first time—Hon. Mr. Mackenzie 3

CONTESTED ELECTIONS AND CORRUPT PRACTICES—Resolutions adopted—Hon. Mr. Mackenzie 3

PUBLIC WORKS—Report *presented* by Hon. Mr. Mackenzie 4

PARLIAMENTARY LIBRARY—Report *presented* by Mr. Speaker 4

FRIDAY, FEBRUARY 5TH.

THE HANSARD REPORTS—Committee on Printing to manage—Reporters to be admitted to the floor of the House 4

INTERNAL REVENUE—Report *presented* by Hon. Mr. Geoffrion 5

HIS EXCELLENCY'S SPEECH—A humble Address thereon *moved* by Mr. Frechette—(the motion being seconded by Mr. Macdougall, Elgin) 5

After debate, Resolutions agreed to; Committee appointed to draw up Address; Address reported, and ordered to be engrossed and presented to His Excellency 18

SUPPLY—Committee on Monday next to consider Supply to be granted to HER MAJESTY—Hon. Mr. Cartwright 18

PUBLIC ACCOUNTS—Report *presented* by Hon. Mr. Cartwright 18

TRADE AND NAVIGATION—Returns *presented* by Hon. Mr. Burpee 18

MONDAY, FEBRUARY 8TH.

NORTH-WEST TROUBLES—Question by Hon. Mr. Holton; Answer by Hon. Mr. Mackenzie 18

TABLE OF CONTENTS.

Page

WOODEN AND IRON BRIDGES—Motion to have correspondence printed—Mr. Blain 19

VETERANS OF 1812-14—Question by Mr. Delorme; Answer by Hon. Mr. Vail.. 19

COURT OF ADMIRALTY—Question by Mr. Wood; Answer by Hon. Mr. Fournier 19

WELLAND CANAL—Question by Mr. Wood: Answer by Hon. Mr. Mackenzie .. 20

ST. LAWRENCE CANALS—Question by Mr. Wood; Answer by Hon. Mr. Mackenzie 20

INSPECTORS OF INSURANCE COMPANIES—Question by Mr. Wood; Answer by Hon. Mr. Mackenzie 20

INTERCOLONIAL RAILWAY CARS—Question by Hon. Mr. Tupper; Answer by Hon. Mr. Mackenzie 20

ST. LAWRENCE RIVER—Question by Mr. Blain; Answer by Hon. Mr. Mackenzie.. 20

HIS EXCELLENCY'S COMMISSION—Motion for copy, Mr. Masson 21

COMMUTATION OF LEPINE'S SENTENCE—Motion for copies of papers, Orders in Council, and correspondence, Mr. Masson 21

After debate, motion agreed to 26

MILITIA MEN OF 1812-13—Motion for Address showing names, ages, and residences of all whose claims to pensions had been transmitted to Imperial Government—Mr. Taschereau 26

SELECT STANDING COMMITTEES—Special Committee appointed to prepare lists—Hon. Mr. Mackenzie 26

EXPENSES OF SPECIAL COMMITTEES—Motion for statement of expenses—Mr. Ross (Middlesex) 26

After discussion, motion allowed to stand 26

PROCEEDINGS OF 31ST MARCH AND 9TH APRIL, 1874—Motion

That the entry in the journals of this House of 31st of March and 9th of April, 1874, relating to the examination of Attorney General CLARKE, Detective HAMILTON, and policeman McVeity be now read 26

After debate, motion allowed to stand.. 28

LEPINE'S COMMUTATION—Message from His Excellency read, transmitting copies of correspondence—Questions by Mr. Masson and Mr. Kirkpatrick; answers by Hon. Mr. Mackenzie 28

GEOLOGICAL SURVEY—Report for 1873-74, *presented* by Hon. Mr. Laird .. 28

MILITARY MOVEMENTS, 1866—Returns *presented* by Hon. Mr. Vail 28

TUESDAY, FEBRUARY 9TH.

SEAT VACANT—Report by Mr. Speaker that representation of Electoral District of Berthier is vacant 28

STANDING COMMITTEES—Report of Special Committee *presented* and adopted—Hon. Mr. Mackenzie 28

Marine Telegraph Bill—

Introduced—Hon, Mr. Mackenzie 28

Motion—To be read the first time—*Carried* 29

Repeal of Chap. 147, Nova Scotia Statutes, Bill—

Introduced—Hon. Mr. Fournier 29

Motion—To be read the first time—*Carried* 29

TABLE OF CONTENTS.

Page

Militia Amendment Bill—

Introduced—Hon. Mr. Vail 29

Motion—To be read the first time—*Carried* 29

Foreign Enlistment Bill—

Introduced—Hon. Mr. Fournier 29

Motion—To be read the first time—*Carried* 30

MINISTERIAL EXPLANATIONS—Hon. Mr. Mackenzie 30

INTERNAL MANAGEMENT OF HOUSE OF COMMONS—Message read from His Excellency, announcing appointment of Commissioners 33

LEPINE'S COMMUTATION—Question—Sir John Macdonald; Answer, Hon. Mr. Mackenzie 33

TORONTO DRILL SHED—Question—Mr. Wilkes; Answer, Hon. Mr. Vail .. 33

THURSDAY, FEBRUARY 11TH.

PRINTING COMMITTEE—Motion that a message be sent to the Senate—Mr. Ross (Middlesex) 33

PUBLIC ACCOUNTS—Motion for reference to Select Standing Committee—Mr. Young 33

RAILWAY ACT—Motion for leave to introduce a Bill to amend—Mr. Oliver .. 33

After debate, leave granted, and Bill read the first time 34

Regulation of Railway Traffic—

Motion for leave to introduce a Bill—Mr. Irving 34

Leave granted and Bill read the first time 34

Cruelty to Animals during Transit—

Motion for leave to introduce a Bill 34

Leave granted and Bill read the first time 34

CONSTITUTION OF STANDING COMMITTEES—Motion for substitution of names—Carried—Hon. Mr. Holton 34

THE ADDRESS—Message from HIS EXCELLENCY acknowledging receipt .. 35

CRIMINAL LAW AMENDMENT ACT—Motion for leave to introduce a Bill—Mr. Irving 35

Leave granted and Bill read the first time 35

POSTAL DELIVERY—Question, Mr. Irving; Answer, Hon. D. A. Macdonald .. 35

NEWSPAPER POSTAGE—Question, Mr. Irving; Answer, Hon. D. A. Macdonald 35

PUBLIC WORKS ON THE SAGUENAY—Question, Mr. Cimon; Answer, Hon. Mr. Mackenzie 35

SUBSIDIES TO RAILROADS WHICH RECEIVE GRANTS FROM LOCAL LEGISLATURES—Question, Mr. Cimon; Answer, Hon. Mr. Mackenzie 35

DOMINION NOTES—Question, Mr. Mackenzie (Montreal); Answer, Hon. Mr. Cartwright 35

CORRECTION OF OFFICIAL REPORTS— 36

North West Troubles—

Motion that an humble address be presented to His Excellency the Governor General, &c., &c.—Hon. Mr. Mackenzie 50

After long debate, *ordered* on motion by Mr. Wallace (Norfolk) that the debate be adjourned 97

TABLE OF CONTENTS.

Page

ERRATUM—Speech of Hon. Mr. Vail, on Tuesday. 97*

FRIDAY, FEBRUARY 12TH.

THE ESTIMATES—Message from His Excellency—Motion to refer to Committee of Supply—Hon. Mr. Cartwright 97

BRITISH COLUMBIA—Message from His Excellency 98

MARINE ELECTRIC TELEGRAPHS—Message from His Excellency transmitting copies of correspondence 98

North West Troubles—

Debate on motion of Hon. Mr. Mackenzie resumed,—Mr. Wallace (Norfolk) 98

Motion in amendment that regretting the Ministers did not, &c.,—Mr. Mousseau 116

House divided, when amendment of Mr. Mousseau was declared *resolved* in the negative 135

Motion in amendment that the following words be added to the resolutions, &c., —Mr. Farrow 135

Mr. Farrow's amendment declared negatived on division 136

House divided and original motion was declared *resolved* in the affirmative .. 136

Resolutions referred to a Committee—Address drafted and reported—*ordered* that an address be presented to His Excellency the Governor General by such members of the House as are members of the Privy Council 137

JOINT COMMITTEES—Message from the Senate 137

MONDAY, FEBRUARY 15TH.

Protection of Life on Railways—

Motion for leave to introduce a Bill,—Hon. Mr. Mackenzie 137

After debate, leave granted, and Bill read the first time 139

Postal Service Amendment—

Motion for leave to introduce a Bill,—Hon. D. A. Macdonald 139

Leave granted and Bill read the first time 139

Preservation of the Peace in the Vicinity of Public Works—

Motion for leave to introduce a Bill,—Hon. Mr. Mackenzie 139

Leave granted and Bill read the first time 139

Suits against the Crown—

Motion for leave to introduce a Bill,—Mr. Irving 139

Leave granted and Bill read the first time 139

EXPULSION OF RIEL—Policy of the Administration,—Hon. Mr. Mackenzie .. 139

SANITARY BUREAU—Question, Mr. Brouse; Answer, Hon. Mr. Mackenzie .. 140

COMMON CARRIERS—Question, Mr. Young; Answer, Hon. Mr. Smith .. 140

RAILWAY CARRYING TRADE—Question, Mr. Oliver; Answer, Hon. Mr. Mackenzie 140

INTERCOLONIAL RAILWAY—Question, Mr. Domville; Answer, Hon. Mr. Mackenzie 140

GEORGIAN BAY BRANCH OF THE PACIFIC RAILWAY—Question, Mr. Wood; Answer, Hon. Mr. Mackenzie 140

GRAVING DOCK AT ESQUIMAULT—Question, Mr. DeCosmos; Answer, Hon. Mr. Mackenzie 141

TABLE OF CONTENTS.

Page

STEAM COMMUNICATION WITH THE WEST INDIES—Question, Mr. Young; Answer, Hon. D. A. Macdonald 141

CONSTRUCTION OF LIFE BOATS—Question, Mr. Macdougall (Elgin); Answer, Hon. Mr. Smith 141

HARBOUR OF TORONTO—Motion for copy of Engineer's report and Orders in Council relating to the same, Mr. Wilkes 141

After debate—Motion agreed to 144

THE MEMBER FOR PROVENCHER—Motion for leave to withdraw resolution for the reading of the entry on the journals of 31st March and 9th April, 1874,—Mr. Bowell 144

Leave granted and motion withdrawn 144

Juvenile Military Education—Motion—

"That a Select Committee be appointed to report upon our present system of military drill, with the view to ascertain if some improvement may not be effected therein," —(*Mr. Brouse*). 144

After long debate—Motion in amendment by Hon. Mr. Cameron (South Ontario—

"That so far from it being desirable that our youth should be taught in schools the art of war and a military spirit engendered," &c. 156

Amendment and main motion withdrawn 157

TUESDAY, FEBRUARY 16TH.

London and Canada Bank—

Private Bill—First reading, Hon. Mr. Cameron (South Ontario) 157

Imperial Loan and Investment Company—

Private Bill—First Reading—Mr. Moss 157

Railway Act—

Bill to Extend and Amend—First Reading—Mr. Irving 157

Controverted Elections Act—

Bill to Amend—First Reading—Hon. Mr. Fournier 157

Suppression of Gaming Houses—

Motion for Leave to Introduce Bill—Mr. Moss 157

Leave Granted and Bill read the first time 158

FELONIES AND MISDEMEANORS—Motion for Leave to Introduce a Bill—Mr. Macdougall (Elgin) 158

Motion allowed to stand as a notice 158

The Budget—Motion—

"That the House do go into Committee to consider the supply to be granted to HER MAJESTY."—*Hon. Mr. Cartwright.*) 158

After long debate, the motion was agreed to 195

NORTH WELLLINGTON ELECTION—Report of Decision of Judges—Mr. Speaker .. 177

ERRATUM—Speech of Mr. Bowell on Amnesty Resolutions 195

WEDNESDAY, FEBRUARY 17TH.

SOUTH HURON ELECTION—Certificate of Election of Thomas Greenway—Mr. Speaker 195

TABLE OF CONTENTS.

Page

Criminal Procedure—

Bill to Amend—First Reading—Hon. Mr. Cameron (Cardwell) . . 195

Promissory Notes—

Bill to Amend Law Relating to—First Reading—Hon. Mr. Cameron (Cardwell) 195

Protection of Life on Wharves and Docks—

Bill to Provide for—First Reading—Mr. Oliver 196

NAVIGATION OF THE SAGUENAY—Question, Mr. Cimon ; Answer, Hon. Mr. Mackenzie 196

NAVIGATION OF THE MIRAMICHI—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie 196

HALF-BREEDS' LANDS—Question, Mr. Ryan ; Answer, Hon. Mr. Laird. 196

UNPATENTED LANDS IN MANITOBA—Question, Mr. Ryan ; Answer, Hon. Mr. Laird 197

LIMITS OF INSPECTION DISTRICTS—Question, Mr. Horton ; Answer, Hon. Mr. Geoffrion 197

POST OFFICE MONEY ORDERS—Question, Mr. Landerkin ; Answer, Hon. D. A. Macdonald 197

STAMPS ON PROMISSORY NOTES—Question, Mr. Landerkin ; Answer, Hon. Mr. Cartwright 197

LIGHT-HOUSE ON ISLE OF HAUTTE—Question, Mr. Goudge ; Answer, Hon. Mr. Smith 197

PREPAYMENT OF MAIL MATTER—Question, Mr. Burpee (Sunbury) ; Answer, Hon. D. A. Macdonald 197

BALLAST WHARF AT ST. JOHN—Question, Mr. Domville ; Answer, Hon. Mr. Mackenzie 197

INTERNATIONAL MONEY ORDER SYSTEM—Question, Mr. Scriver ; Answer, Hon. D. A. Macdonald 198

CENSUS VOLUMES—Question, Mr. Ross (Middlesex) ; Answer, Hon. Mr. Mackenzie 198

RECOVERY OF LOST GOODS ON INTERCOLONIAL RAILWAY—Question, Mr. Fiset ; Answer, Hon. Mr. Mackenzie 198

NAVIGATION OF THE FRASER RIVER—Question, Mr. Thompson (Cariboo) ; Answer, Hon. Mr. Mackenzie 198

IMPORTATION OF LAND PLASTER—Motion for Copies of Returns—Mr. Gordon . . 198

After debate, motion agreed to 199

BOUNDARY LINES BETWEEN BRITISH COLUMBIA AND ALASKA—Motion for an Address to His Exellency the Governor General—Mr. Roscoe 199

Motion in Amendment that all the words after " Survey" be struck out, &c.—Mr. De Cosmos 201

After debate, both Amendment and Original Motion withdrawn 202

THE FISHERIES ACT—Motion for an Address to His Excellency the Governor General—Mr. Cimon 203

Statistics—Motion—

" That the House do on Friday next go into Committee of the Whole to consider Resolutions."—(*Mr. Young*) 203

After debate, motion withdrawn 205

SPECIAL RATES ON INTERCOLONIAL RAILWAY—Motion for copies of all special rates granted for Freight—Mr. Domville 205

After debate, motion agreed to 206

TABLE OF CONTENTS.

Page

INTERCOLONIAL RAILWAY SUPPLIES—Motion for Papers and Correspondence—Mr. Domville 206

COPYRIGHTS—Motion for copies of correspondence with Imperial authorities—Mr. Dymond 206

CANADIAN PACIFIC RAILWAY—Motion for memorandum of Chief Engineer to be Laid on the Table—Mr. De Cosmos.. 206

HURON AND OTTAWA RAILWAY—Motion for copy of report of L. G. Bell, C. E.—Mr. Galbraith 206

CANADIAN SHIPPING ON LAKE MICHIGAM—Motion for copies of correspondence relating thereto—Mr. Norris 206

After debate, motion agreed to 209

GEORGIAN BAY BRANCH OF THE PACIFIC RAILWAY—Motion for Returns of Tenders, Orders in Council, &c.—Hon. Mr. Tupper 209

THE LOAN OF 1874—Motion for copy of Prospectus and Terms, &c.—Hon. Mr. Tupper 209

COMPENSATION FOR FISHERIES—Motion—

"Address to His Excellency the Governor General, praying for copies of all correspondence between the Government of Canada and the Government of Great Britain in reference to the monetary compensation to be paid to Canada, under the Treaty of Washington, for the liberty of fishing in Canadian waters," etc.—(*Mr. Mills.*) .. 209

A discussion ensuing, the debate was adjourned.. 211

THURSDAY, FEBRUARY 18TH.

Speedy Trial of Felons—

Bill read the first time—Mr. Macdougall (Elgin) 212

PACIFIC RAILWAY SURVEY—Question, Mr. Ryan ; Answer, Hon. Mr. Mackenzie 212

WITHDRAWAL OF TWENTY CENT COIN—Question, Mr. Cheval ; Answer, Hon. Mr. Cartwright 212

PRINTING OF OFFICIAL REPORTS OF THE DEBATES IN FRENCH—Question, Mr. Cheval ; Answer, Hon. Mr. Mackenzie 212

VOLUNTARY MILITIA ORGANIZATION—Question, Hon. Mr. Cauchon ; Answer, Hon. Mr. Mackenzie 212

CAPITAL PUNISHMENT—Motion for an Address to His Excellency the Governor General—Mr. Dymond 212

SURVEY OF DOMINION LANDS IN MANITOBA—Motion for copy of resolutions declaring expediency of—Mr. Bunster 214

After debate, motion withdrawn 219

REFRESHMENT ROOM—Motion that it be re-opened for the convenience of members —Mr. Bunster 219

On division, Motion declared *resolved* in the negative 219

STEAM COMMUNICATION BETWEEN PRINCE EDWARD ISLAND AND PICTOU—Motion for copy of contract—Mr. McIntyre 219

After debate, Motion agreed to 222

Pacific Railway Survey Accounts—Motion—

"That the letter and telegram of which copies are hereto annexed, were printed, and circulated in the South Riding of Norforlk, during the late Election in that constituency," etc., etc.—(*Mr. Wallace*) 222

After debate, Motion withdrawn, and subject referred to Public Accounts Committee for Investigation 232

INSOLVENCY AND SUPREME COURTS BILLS—Question, Sir John A. Macdonald ; Answer, Hon. Mr. Mackenzie 232

TABLE OF CONTENTS.

Page

Cruelty to Animals While in Transit—

Bill—Second Reading—Mr. Charlton 233

ALLOWANCES AND GRATUITIES—Motion for Return—Sir John A. Macdonald .. 233

VACANCIES SINCE GENERAL ELECTION—Motion for a return of each vacancy, date of same, date when notified to Speaker, date of warrant for new writ, and date of transmission of writ to returning officer—Sir John. A. Macdonald .. 233

Motion to add following words—

"And also a similar statement respecting the vacancies occurring during the last two Parliaments."—(*Hon. Mr. Mackenzie.*) 234

Motion agreed to as amended.. 234

GRANTS TO MANITOBA VOLUNTEERS—Motion for Return of all applications for—Sir John A. Macdonald 234

House in Committee of Supply 234

CIVIL SERVICE BONUS—Explanation in Supply—Hon. Mr. Cartwright.. .. 236

SALARIES OF COUNTRY POSTMASTERS—Explanations in Supply—Hon. D. A. Macdonald.. 237

FRIDAY, FEBRUARY 19TH.

PRINTING COMMITTEE—Motion that second and third Reports be adopted—Mr. Ross (Middlesex) 238

PUBLIC ACCOUNTS COMMITTEE—Motion for authority to employ a short-hand Reporter—Mr. Young 238

Private Bills—

First Readings—To Incorporate the Pictou Coal Company; Mr. Baby. To Incorporate the Lower Ottawa Boom Company; Mr. Currier. To Incorporate the *Intelligencer* Printing and Publishing Company; Mr. Bowell. To Incorporate the Industrial Life Insurance Company; Mr. Baby. To Incorporate La Banque St. Jean Baptiste; Mr. Fréchette 239

Insolvency Law—

Motion for leave to introduce a Bill—Hon. Mr. Fournier 239

Leave granted and Bill read the first time 241

Gas Inspection—

Bill—First Reading—Hon. Mr. Geoffrion 241

Marine Electric Telegraphs—

Motion for leave to introduce a Bill to regulate the construction and maintenance of—Hon. Mr. Mackenzie 241

After debate, leave granted, Bill read the first time, and referred to Railway Committee 245

Criminal Law in Nova Scotia—

Second Reading of Bill to amend—Hon. Mr. Fournier 245

Bill referred to Committee of the Whole, reported, read a third time and passed 245

Foreign Enlistment—

Second Reading of a Bill to prevent—Hon. Mr. Fournier 245

Bill referred to Committee of the Whole and reported 245

House in Committee of Supply 245

THE LATE MR. ALFRED TODD—Discussion in Supply,—Hon. Mr. Holton .. 245

TABLE OF CONTENTS.

Page.

DOMINION STATUTES—Additional copies—Discussion in Supply—Mr Young .. 246

STATISTICAL DEPARTMENT, NOVA SCOTIA—Discussion in Supply—Hon. Mr. Tupper 247

PHILADELPHIA EXHIBITION—Explanations in Supply—Hon. Mr. Mackenzie .. 248

MENONITE LOAN—Explanations in Supply—Hon. Mr. Cartwright 249

VETERANS OF 1812-14—Question, Mr. Kirkpatrick, (in Supply) ; Answer—Hon. Mr. Cartwright 252

GENERAL MILITIA ESTIMATES 253

LAKE SUPERIOR AND OTHER STEAM COMMUNICATION ESTIMATES 255

MARINE ESTIMATES 256

MONDAY, FEBRUARY 22ND.

Private Bill—

First Reading, Relating to the European and North American Railroad companies—Mr. Wright (Ottawa) 259

Enquiries into Public Matters—

Motion for leave to introduce a Bill—Hon. Mr. Blake 259

Leave granted and Bill read the first time 259

NORTH WELLINGTON ELECTION—Judge's Certificate and Report—Mr. Speaker .. 259

THE MEMBER FOR CENTRE WELLINGTON—Breach of Privilege—Mr. Speaker .. 260

London and Canada Bank—

Second reading of Bill, and reference to Committee on Banking—Hon. Mr. Cameron (South Ontario) 260

Imperial Loan and Investment Company—

Bill read the second time and referred to Committee on Banking and Commerce—Mr. Moss 260

WEST INDIA MAIL SERVICE—Question, Mr. Forbes ; Answer, Hon. D. A. Macdonald 261

CANADIANS IN THE UNITED STATES—Question, Mr. Masson ; Answer, Hon. Mr. Mackenzie 261

STORM SIGNALS—Question, Mr. Forbes ; Answer, Hon. Mr. Smith 261

AGENT-GENERAL OF CANADA IN LONDON—Question, Hon. Mr. Tupper ; Answer, Hon. Mr. Mackenzie 261

ENROLMENT OF RESERVE MILITIA—Question, Mr. Little ; Answer, Hon. Mr. Mackenzie 261

NAVAL STATION AT ESQUIMAULT—Question, Mr. Roscoe ; Answer, Hon. Mr. Mackenzie 261

EXTRA COPIES OF OFFICIAL REPORT OF DEBATES—Question, Mr. Farrow ; Answer, Hon. Mr. Mackenzie and Mr. Ross (Middlesex) 261

ONTARIO LAND GRANT TO PACIFIC RAILWAY—Question, Hon. Mr. Blake ; Answer, Hon. Mr. Mackenzie 262

LEPINE COMMUTATION—Question, Hon. Mr. Blake ; Answer, Hon. Mr. Mackenzie 262

DAWSON ROUTE—Question, Mr. Farrow ; Answer, Hon. Mr. Mackenzie .. 262

NATURALIZATION OF ALIENS—Motion for copies of despatches from Imperial Government on subject, Mr. Young 262

FREE DELIVERY OF MAIL MATTER IN MONTREAL—Motion for statement of expenses, Mr. Oliver 262

TABLE OF CONTENTS.

Page

EXAMINERS OF FISH INSPECTORS—Motion for Return, Mr. Forbes .. . 262

BOUNDARY BETWEEN BRITISH COLUMBIA AND NORTH WEST TERRITORIES—Motion for an Address to His Excellency—Mr. Thompson (Cariboo) 262

After debate—Motion withdrawn 263

VOTES AND PROCEEDINGS—Motion to increase number of copies distributed—Mr. Baby 263

Motion referred to Printing Committee 264

Spring Hill Branch Railway—Motion—

"That an Address be presented to His Excellency the Governor General for all correspondence between the Government or their officers and the Spring Hill Mining Company, for all Orders in Council relating to the said Company, and any agreements that may have been made with the same."—*(Hon. Mr. Tupper)* 265

After debate, motion agreed to 265

Public Criers—

Second Reading of Bill for more effectual protection of—Reference to Railway Committee—Mr. Irving 266

Railway Returns—

Bill to amend law regulating to—Read the second time and referred to Railway Committee—Mr. Irving 266

Postal Service Amendment Bill—

Motion for second reading—Hon. D. A. Macdonald 266

After long debate, *Resolved*, That the debate be adjourned 274

OUTLAWRY OF LOUIS RIEL—Sentence laid on Table—Hon. Mr. Mackenzie .. 273

Preservation of Peace in Vicinity of Public Works—

Bill read the second time, referred to Committee of Whole, reported—Hon. Mr. Mackenzie 274

Protection of Persons and Property on Railways—

Bill read the second time and referred to Committee on Railways—Hon. Mr. Mackenzie 274

House in Committee of Supply 275

NUMBER OF INDIANS IN ONTARIO, QUEBEC, NOVA SCOTIA, AND NEW BRUNSWICK—Question, Hon. Mr. Mitchell; Explanations—Hon. Mr. Laird 275

TREATY WITH INDIANS OF NORTH-WEST—Question, Mr. Masson; Explanations, Hon. Mr. Laird 276

INDIAN RESERVES IN CHICOUTIMI AND SAGUENAY—Mr. Cimon 277

INDIAN LANDS IN NEW BRUNSWICK—Mr. Costigan 279

INDIAN LANDS IN BRITISH COLUMBIA—Question, Mr. De Cosmos; Answer, Hon. Mr. Mackenzie 279

NATIONAL BOUNDARY IN BRITISH COLUMBIA—Explanations—Hon. Mr. Cartwright 282

Committee rose and reported 283

TUESDAY, FEBRUARY 23RD.

PRIVATE BILLS—Motion for extension of time for receiving petitions for and reports on—Mr. Rymal 283

After debate, motion agreed to 284

TABLE OF CONTENTS.

Page

Private Bills—

First Readings — Respecting the International Bridge Company; Mr. Irving. Respecting the Richelieu Company; Mr. Jetté. Respecting Banks and Banking; Hon. Mr. Cartwright. To Incorporate the Royal Mutual Life Assurance Company of Canada—Mr. Jetté 284

Supreme Court—

Motion for leave to introduce a Bill to establish—Hon. Mr. Fournier .. 284

After debate, leave granted, and Bill read the first time 289

STATISTICS—Question, Hon. Mr. Tupper; Explanation, Hon. Mr. Mackenzie .. 290

Militia Amendment Bill—

Motion for second reading—Hon. Mr. Vail 290

After debate, motion agreed to 291

Controverted Elections Act Amendment Bill—

Second reading—Hon. Mr. Fournier 291

HOUSE IN COMMITTEE OF SUPPLY—CUSTOMS ESTIMATES 291

CIVIL SERVICE—Outside Service 292

CUSTOMS DEPARTMENT IN NEW BRUNSWICK AND NOVA SCOTIA 295

APPOINTMENTS AND PROMOTIONS 296

INLAND REVENUE DEPARTMENT IN BRITISH COLUMBIA 297

WEIGHTS AND MEASURES ACT—Question, Mr. Domville: Answer, Hon. Mr. Geoffrion 298

INTERCOLONIAL RAILWAY—Question, Mr. Domville; Answer, Hon. Mr. Cartwright 298

PRINCE EDWARD ISLAND RAILWAY—Question, Mr. Domville; Answer, Hon. Mr. Mackenzie 300

GULF PORTS NAVIGATION—Question, Hon. Mr. Mitchell; Answer, Hon. D. A. Macdonald 302

POST OFFICE ESTIMATES 303

SURVEYS OF LAND IN NORTH-WEST—Hon. Mr. Laird 304

Committee Reported 305

WEDNESDAY, FEBRUARY 24TH.

Dominion Notes—

Motion for leave to introduce a Bill—Hon. Mr. Cartwright 305

After debate, leave granted, and Bill read the first time 306

Private Bills—

Respecting the Montreal Board of Trade; Mr. Devlin. To Incorporate the Upper Ottawa Improvement Company—Mr. Murray 306

Penitentiaries—

Motion for leave to introduce a Bill respecting—Hon. Mr. Fournier 306

Leave granted, and Bill read the first time 307

Great Western Railway—

Bill to amend Act of Incorporation—first reading—Mr. Moss 307

JOINT COMMITTEE ON PRINTING—Fifth report presented—Mr. Ross (Middlesex) .. 307

Page

Outlawry of Riel—Motion

"That the record in the case of Louis Riel, laid on the table of the House on the 22nd., inst., be now read"—(*Hon. Mr. Mackenzie*) 307

Motion agreed to 308

Also moved—

"That it appears by the said record that Louis Riel, a member of this House, has been adjudged an outlaw for felony"—(*Hon. Mr. Mackenzie*) 308

Motion in amendment—

"That all the words after 'that' in the original motion be struck out, and the following inserted :—'It appears on the face of the record of the proceedings brought before this House that no legal or valid judgment of outlawry has been rendered against the said Louis Riel, member for Provencher, and it also appears from the same record that the said Louis Riel, having been indicted for murder, has not been arrested, nor appeared, nor pleaded to the said indictment, nor surrendered to take his trial thereon, but has been and continues to be voluntarily absent and a fugitive from justice from the Province of Manitoba. Be it therefore resolved that the said Louis Riel be and he is hereby expelled from this House.'"—(*Mr. Plumb*) .. 315

After debate, the House divided, when the amendment of Mr. Plumb was declared *resolved* in the negative—24 votes to 146 320

The House again divided, when the original motion was declared *resolved* in the affirmative—138 votes to 31 320

Also moved—

"That Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery to issue a new writ for the electoral district of Provencher, in the room of Louis Riel adjudged an outlaw" -(*Hon. Mr. Mackenzie*) .. — 320

House divided, when the motion was declared resolved in the affirmation—141 to 16 322

THE MEMBER FOR CENTRE WELLINGTON—Motion for leave to introduce a Bill of Indemnity—Hon. Mr. Mackenzie 322

After debate, motion allowed to stand 323

THURSDAY, FEBRUARY 25TH.

Public Bills—

First Readings — Relating to Trade Marks and Industrial Designs ; Mr. Bernier. Prevention of Accidents in Breweries and Distilleries ; Mr. Brouse.. 323

Carriers by Land and Water—

Bill to define Duties, Rights, and Responsibilities of—Motion for leave to introduce—Mr. Devlin 323

After debate, leave granted, and Bill read the first time 324

THE MEMBER FOR CENTRE WELLINGTON—Motion to refer Breach of Privilege to Committee on Privileges and Elections—Hon. Mr. Mackenzie 324

After debate, motion agreed to 325

Militia Act Amendment Bill—

Motion for the House to go into Committee of the Whole to consider Resolutions —Hon. Mr. Vail 325

Motion agreed to, and House went into Committee 327

After debate, Resolutions concurred in and reported 331

Also moved—That the Resolutions be referred to Committee of the Whole House on Bill No. 4, which was agreed to—Hon. Mr. Vail 331

Bill reported as amended, and Report received 331

TABLE OF CONTENTS.

Page

CONCURRENCE IN ESTIMATES—

MANITOBA MOUNTED POLICE—Question, Hon. Mr. Tupper; Answer, Hon. Mr. Fournier 332

PENITENTIARIES—Question, Mr. Kirkpatrick; Answer, Hon. Mr. Cartwright .. 333

ROCKWOOD ASYLUM—Question, Mr. Kirkpatrick; Answer, Hon. Mr. Mackenzie 333

HALIFAX PENITENTIARY—Question, Hon. Mr. Tupper; Answer, Hon. Mr. Mackenzie 333

ST. JOHN PENITENTIARY—Question, Mr. Domville; Answer, Hon. Mr. Burpee .. 333

CENSUS RETURNS—Question, Hon. Mr. Tupper; Answer, Hon. Mr. Mackenzie.. 334

PHILADELPHIA CENTENNIAL EXHIBITION—Question, Mr. Currier; Answer, Hon. Mr. Mackenzie 334

The Intercolonial Railway—

Motion—That the House go into Committee of Suppply—Hon. Mr. Cartwright 334

After very long debate, the motion was ruled out of order.. 370

FRIDAY FEBRUARY 26TH.

Private Bills—

Respecting the Canadian Navigation Company; Mr. Mackenzie (Montreal). To Incorporate the European and American Express and Agency Company; Mr. Jetté. To Incorporate the Manitoba and North-West Permanent Building Society; Mr. Irving. Respecting the Montreal Northern Colonization Railway, and to Incorporate the St. Lawrence Bridge Company; Mr. Desjardins. To Incorporate a company to construct, own and operate a railway from Red River, in the Province of Manitoba, to a point in British Columbia on the Pacific Coast; Mr. Dewdney. To Incorporate the Canadian Steam Users' Association; Mr. MacLennan 370

SUPPLEMENTARY FINANCIAL STATEMENT—Question, Hon. Mr. Holton; Answer, Hon. Mr. Cartwright 370

Preservation of Peace in the Vicinity of Public Works Bill—

Third Reading, Hon Mr. Mackenzie 370

Militia Act Amendment Bill—

Third Reading, Hon. Mr. Vail 370

Insolvency Bill—

Second Reading, reference to Select Committee—Hon. Mr. Fournier .. 371

FOREIGN ENLISTMENT BILL—Question, Sir John A. Macdonald; Answer, Hon. Mr. Fournier 371

CONCURRENCE IN ESTIMATES—

THE AGENT-GENERAL—Motion that item 46 be concurred in—Hon. Mr. Cartwright 371

MENONITE LOAN—Motion that item 47 be concurred in,—Hon. Mr. Cartwright 371

Motion in Amendment—

"And that out of the sum to be set apart for the benefit of the Menonites, a proportionate sum be assigned towards inducing Canadians residing in the United States to settle in Manitoba or the North-West Territories."—(*Mr. Masson*) 379

Amendment ruled out of order 379

Motion in Amendment—

"That the resolution be not concurred in, but that it be resolved that the sum of $100,000 for a Menonite Loan be reduced to $50,000."—(*Mr. Masson*) 379

TABLE OF CONTENTS.

Page

Motion in Amendment to the Amendment—

"That all the words after 'that' in the Amendment be left out, and that the following be inserted:—But this House will cheerfully assent to any measure which may be proposed by the Government to encourage the settlement of native Canadians now living in the United States on the waste lands of the Dominion."—(*Hon. Mr. Holton*) .. 383

On the question being put, it was *resolved* that the Amendment to the Amendment stand part of the question 391

The motion as amended was then agreed to 391

VETERANS OF 1812-14—Motion that item 50 be concurred in,—Hon. Mr. Vail .. 391

GENERAL MILITIA ESTIMATES—Motion for concurrence,—Hon. Mr. Vail .. 392

VOLUNTEER UNIFORMS—Question, Mr. Wright (Pontiac); Answer, Hon. Mr. Vail 393

VOLUNTEER CAMPS—Question, Mr. Plumb; Answer, Hon. Mr. Vail 393

WIMBLEDON TEAM—Question, Mr. Plumb; Answer, Hon. Mr. Vail 395

Private Bills—

Second Readings—To Incorporate the Lower Ottawa Boom Company; Mr. Currier. To Incorporate the *Intelligencer* Printing and Publishing Company; Mr. Bowell. To Incorporate the Industrial Life Insurance Company; Mr. Baby. To Incorporate La Banque St.-Jean-Baptiste; Mr. Frechette. To Incorporate the Pictou Iron and Coal Company; Mr. Baby. To Incorporate the Upper Ottawa Improvement Company; Mr. Murray 381

MONDAY, MARCH 1ST.

INTEREST AND USURY IN NEW BRUNSWICK—BILL—First reading—Mr. Palmer 396

LEVIS BOARD OF TRADE—Bill to Incorporate—First reading—Mr. Fréchette .. 396

CLAIM OF MATTHEW SMITH—Question, Mr. Domville; Answer, Hon. Mr. Mackenzie 396

SETTLERS ON INDIAN LANDS IN THE SAUGEEN PENINSULA—Question, Mr. Gillies; Answer, Hon. Mr. Laird 397

IMMIGRATION TO BRITISH COLUMBIA—Question, Mr. De Cosmos; Answer, Hon. Mr. Mackenzie 397

LAWS IN REFERENCE TO INDIANS—Question, Mr. Patterson; Answer, Hon. Mr. Laird 397

MARINE HOSPITALS AT SYDNEY—Question, Mr. McKay, (Cape Breton); Answer, Hon. Mr. Mackenzie 397

BREAKWATER AT COW BAY—Question, Mr. Mackay, (Cape Breton); Answer, Hon. Mr. Mackenzie 397

LIGHT HOUSE ON GUYON ISLAND—Question, Mr. Mackay, (Cape Breton); Answer, Hon. Mr. Smith 397

BREAKWATER AT PORT MAINE A DIEU—Question, Mr. Macdonald (Cape Breton); Answer, Hon. Mr. Mackenzie 397

PILOTAGE ACT—Question, Hon. Mr. Mitchell; Answer, Hon. Mr. Smith .. 397

ISLAND OF GRAND MANAN—Question, Mr. Gillmor; Answer, Hon. Mr. Mackenzie 398

NOTES OF CHARTERED BANKS—Question, Mr. Macdougall, (Elgin); Answer, Hon. Mr. Cartwright 398

OFFICIAL ASSIGNEES—Question, Mr. White; Answer, Hon. Mr. Mackenzie .. 398

BRIDGING OF THE RIDEAU RIVER—Question, Mr. Rochester; Answer, Hon. Mr. Mackenzie 398

TABLE OF CONTENTS.

Page

TRANSLATION OF THE DEBATES—Question, Mr. Cheval; Answer, Hon. Mr. Fournier 398

ST. PETER'S CANAL—Question, Mr. Campbell; Answer, Hon. Mr. Mackenzie .. 398

CONSOLIDATION OF THE STATUTES—Question, Mr. Biggar; Answer, Hon. Mr. Fournier 399

THE MISSISSIGUA INDIAN TRIBE—Motion for an address to His Excellency the Governor General for returns—Mr. Gordon 399

Constitution of the Senate—

Motion—That the House go into Committee of the Whole to consider the following resolution :—

"That the present mode of constituting the Senate is inconsistent with the Federal principle in our system of Government, makes the Senate independent alike of the people and the Crown, and is in other material respects defective; and that our constitution ought to be so amended as to confer upon each Province the power of selecting its own Senators, and to define the mode of their selection."—(*Mr. Mills*) .. 399

After long debate, the question being put, the House divided when the motion was declared resolved in the affirmative—77 votes to 74 420

House in Committee, and after debate, Committee rose and reported progress .. 423

Corrections of addresses of Messrs. Masson, Desjardins, Gaudet, and Caron .. 423

TUESDAY, MARCH 2ND.

Private Bills—

First Readings—Relating to the Northern Railway; Mr. Cockburn. To Incorporate the Anglo-French Steamship Company; Mr. Jones (Halifax). To Incorporate the Canadian Land and Investment Company; to Incorporate the Metropolitan Insurance Company; and respecting the Canada Guarantee Company; Mr. Jetté. To Incorporate the National Insurance Company; Mr. Desjardins 423

Administration of Justice in the North West—

Bill to amend the Act respecting—First Reading—Hon. Mr. Fournier .. 423

SALARIES OF JUDGES—Motion that the House go into Committee of the Whole to consider certain resolutions respecting—Hon. Mr. Fournier 424

House in Committee, and resolutions adopted and reported 426

SALARIES OF SUPREME COURT JUDGES—Motion that House do on Thursday go into Committee of the Whole to consider certain resolutions respecting—Hon. Mr. Fournier 426

Postal Regulations Bill—

Motion that House go into Committee of the Whole on Thursday next to consider certain resolutions respecting—Hon. D. A. Macdonald 426

SALARIES OF PENITENTIARY OFFICERS—Motion that House go into Committee of the Whole on Thursday next to consider certain resolutions respecting—Hon. Mr. Fournier 426

Marine Electric Telegraphs Bill—

House in Committee, and Bill reported 426

THE CASE OF EDWARD DUCKETT—Motion that House go into Committee of Supply—Hon. Mr. Cartwright 426

HOUSE IN COMMITTEE OF SUPPLY—

EXTENSION OF INTERCOLONIAL INTO HALIFAX—Question, Mr. Jones (Halifax); Answer, Hon. Mr. Mackenzie 427

INTERCOLONIAL RAILWAY AT ST. JOHN—Question, Mr. Palmer; Answer, Hon. Mr. Mackenzie 427

TABLE OF CONTENTS.

Page

LACHINE CANAL—Question, Mr. Jones (Leeds) ; Answer, Hon. Mr. Mackenzie .. 428

ST. LAWRENCE CANALS—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie 429

RIDEAU CANAL—Question, Mr. Hagar ; Answer, Hon. Mr. Mackenzie.. 433

ST. PETER'S CANAL—Question, Mr. MacKay (Cape Breton) ; Answer, Hon. Mr. Mackenzie 433

BAIE VERTE CANAL—Motion that estimate be not agreed to—Mr. Macdonnell (Inverness) 434

After debate, motion negatived, and estimate passed 447

IMPROVEMENTS OF NAVIGABLE RIVERS—Red River, Wallace River, Saguenay, &c. 447

LAKE SUPERIOR AND RED RIVER ROUTE—Question, Mr. Schultz ; Answer, Hon. Mr. Mackenzie 448

PUBLIC BUILDINGS IN ONTARIO—Question, Mr. Wood; Answer, Hon. Mr. Mackenzie 450

WEDNESDAY, MARCH 3RD.

PETITION OF MESSRS. FRASER, REYNOLDS & Co.—Motion for reception of, Mr. Domville 450

Motion ruled out of order 452

Private Bills—

First Readings—To Incorporate the North Western Manufacturing Company ; Mr. Schultz. Respecting the Montreal, Sorel, and Chambly Railway ; Mr. Jetté. Respecting the Niagara Falls Intercolonial Bridge Company ; Mr. Moss 452

Public Debt Bill—

First Reading—Hon. Mr. Cartwright 452

Insurance Companies—

Motion for leave to introduce a Bill respecting—Hon. Mr. Cartwright .. 452

After debate, leave granted, and Bill read the first time 453

ARRANGEMENTS WITH BRITISH COLUMBIA—Question, Mr. Bunster ; Answer, Hon. Mr. Mackenzie 453

CLAIMS OF INTERCOLONIAL RAILWAY CONTRACTORS — Question, Mr. Palmer ; Answer, Hon. Mr. Mackenzie 453

SALARIES OF JUDGES OF COUNTY COURTS—Question, Hon. Mr. Blake ; Answer, Hon. Mr. Mackenzie 453

SCHOOLS FOR INDIANS—Question, Mr. Goudge ; Answer, Hon. Mr. Laird .. 454

RAILWAY COMPANIES' BY-LAWS—Question, Mr. Delorme ; Answer, Hon. Mr. Mackenzie 454

THE WELLAND CANAL—Motion for copies of all reports and estimates of engineer in charge—Mr. Norris 454

After discussion, motion agreed to 456

DOMINION NOTE CIRCULATION—Motion for a Select Committee to report on question—Mr. Wilkes 456

On motion, debate adjourned.. 462

Private Bills—

Second Readings—To incorporate the Royal Life Insurance Company ; and respecting the Richelieu Company—Mr. Jetté—Respecting the Canadian Navigation Company—Mr. Mackenzie (Montreal) 462

Page

Canadian Fisheries—

Resumption of debate on motion of Mr. Mills for an Address for correspondence in reference to compensation to be paid by the United States to Canada, under the Treaty of Washington, for the right of fishing in Canadian waters—Hon. Mr. Mitchell 462

After debate, motion withdrawn 472

Railway Act Amendment—

Bill Read the second time and referred to Railway Committee—Mr. Oliver .. 472

Trade Marks—

Bill read the second time and referred to Committee on Banking and Commerce —Mr. Bernier 472

HOUSE IN COMMITTEE OF SUPPLY—

PENITENTIARIES—Explanations—Hon. Mr Mackenzie 472

HARBORS AND BREAKWATERS—Question, Mr. Wood; Answer, Hon. Mr. Mackenzie 473

THURSDAY, MARCH 4TH.

Private Bill—

First Reading—To Incorporate the Dominion Railway Equipment Company— Mr. Blain 475

Immigration Act Amendment Bill—

First Reading—Hon. Mr. Smith 475

CULLING AND MEASURING TIMBER—Motion that the House go into Committee of the Whole on Tuesday next to consider resolutions respecting—Hon. Mr. Geoffrion 475

APPOINTMENT OF HARBOR MASTERS—Motion that the House go into Committee of the Whole to-morrow to consider resolutions respecting—Hon. Mr. Smith.. 475

THE MEMBER FOR TWO MOUNTAINS—Motion to admit to the House on production of the duplicate indenture of return only—Hon. Mr. Mackenzie 475

Postal Regulations Bill—

Motion that the House go into Committee of the Whole to consider resolutions—Hon. D. A. Macdonald 475

After debate, motion agreed to, and House went into Committee 485

Motion in amendment to 22nd sub-section of clause 3, that the following words be substituted therefor :—

"That newspapers and periodical publications printed and published in Canada, and issued not less than once a month from a known office of publication or news agency, and addressed by and from the same to regular subscribers or news agents, shall be carried through the mails free; and such newspapers and periodicals shall be put up into packages and delivered into the Post Office, and the postage rate thereon prepaid by the sender thereof, under such regulations as the Postmaster General may from time to time direct—(*Mr. Young*) 485

Amendment declared resolved in the negative, and clause agreed to 489

Resolutions agreed to and reported 490

Banks and Banking—

Bill to amend Act relating to—Read the second time, referred to Committee of the Whole, and reported, Hon. Mr. Cartwright 490

Inspection of Gas—

Bill to amend Act relating to—Read the second time, referred to Committee of the Whole and reported, Hon. Mr. Geoffrion 490

Page

Controverted Elections—

Motion that the House go into Committee of the Whole on Bill to amend Act relating to, Hon. Mr. Fournier 490

After debate—Motion agreed to, and House in Committee of the Whole .. 494

Motion in amendment to clause first—that the following be substituted therefor :—

"Whenever it appears to the Court or to the Judge that the respondent's presence at the trial is necessary, the trial of the petition shall not be commenced during any session of Parliament, and in the computation of any delay allowed for any step or proceeding in respect of any such trial, or for the commencement of such trial under the next following section, the time occupied by any such session shall not be reckoned —(*Hon. Mr. Blake*) 495

Amendment agreed to 495

Amendments to clauses 3 and 4, Hon. Mr. Fournier 496

Committee reported Bill with amendments 497

CONCURRENCE IN ESTIMATES—

GENERAL MARINE ESTIMATES—Motion for concurrence, Hon. Mr. Smith .. 497

GEOLOGICAL SURVEY—Question, Hon. Mr. Tupper; Answer, Hon. Mr. Mackenzie 498

GENERAL ESTIMATES OF DEPARTMENT OF INTERIOR—Motion for concurrence, Hon. Mr. Laird 499

Committee rose and reported 501

FRIDAY, MARCH 5TH.

Private Bill—

First Reading—Respecting the Intercolonial Express Company, Mr. Baby .. 501

Inspection of Produce—

Bill to amend Act respecting, Mr. Forbes 501

THE MENONITE LOAN—Question of Privilege, Mr. Masson 501

SICK AND DISTRESSED MARINERS—Motion that the House go into Committee of the Whole on Monday next to consider certain resolutions, Hon. Mr. Smith .. 503

MASTERS AND MATES—Motion that the House go into Committee of the Whole on Monday next to consider certain resolutions, Hon. Mr. Smith 503

INSPECTION OF INSURANCE COMPANIES—Motion that the House go into Committee of the Whole on Monday next to consider certain resolutions, Hon. Mr. Cartwright 503

HOUSE IN COMMITTEE OF SUPPLY—

THE PACIFIC RAILWAY—Motion for passage of Estimates, Hon Mr. Mackenzie 503

After long debate—Motion agreed to 553

Private Bills—

Second Readings—Respecting the Provincial Insurance Company of Canada; Hon. Mr. Cameron (Cardwell). Respecting the European and North American Railway Company; Mr. Wright (Ottawa). To incorporate the Royal Mutual Life Insurance Company of Canada; and to incorporate the European and American Express Company; Mr. Jette. Respecting the Montreal Board of Trade; Mr. Devlin. Respecting the International Bridge Company; Mr. Irving. Respecting the Great Western Railway Company; Mr. Moss. To incorporate the Levis Board of Trade—Mr. Fréchette 517

TABLE OF CONTENTS.

Page

MONDAY, MARCH 8TH.

PETITION OF MESSRS. FRASER, REYNOLDS & Co.—Motion that the same be referred to the Public Accounts Committee, and that the petitioners be heard by themselves, their counsel, agents, and witnesses upon their petition—Mr. Domville 553

After short debate, motion ruled out of order 553

Civil Service Bill—

First reading—Hon. Mr. Cartwright 554

Private Bills—

Referred to Committee of the Whole, reported, read the third time and passed. Respecting the Imperial Building, Savings, and Investment Company—Mr. Moss; Respecting the London and Canada Bank, Hon. Mr. Cameron, (South Ontario); To incorporate the Industrial Life Insurance Company, Mr. Baby; To incorporate La Banque St. Jean Baptiste—Mr. Fréchette .. 554

THE LEPINE COMMUTATION—Message from His Excellency transmitting copies of correspondence 554

CORRUPT PRACTICES AT ELECTIONS—Question, Mr. Casgrain; Answer, Hon. Mr. Fournier 554

PENSIONS TO VETERANS—Question, Mr. Stephenson; Answer, Hon. Mr. Mackenzie 554

ALLOWANCES TO POST MASTERS—Question, Mr. Greenway; Answer, Hon. D. A. Macdonald 554

ORDNANCE LANDS AT FREDERICTON—Question, Mr. Domville; Answer, Hon. Mr. Mackenzie 555

New Brunswick School Law—

Motion for an humble address to Her Majesty, &c. 555

Motion that the debate be adjourned—Hon. Mr. Mackenzie 580

TUESDAY, MARCH, 9TH.

Private Bill—

First Reading—Relating to bridging L'Assomption River—Mr. Baby .. 581

Controverted Elections Act—

Bill to amend—First Reading—Hon. J. H. Cameron 581

Capacity of Casks—

Bill to compel persons delivering merchantable liquids in casks to mark on each cask its capacity—First Reading—Hon. Mr. Geoffrion 581

Life Insurance—

Bill to amend the Act respecting—First Reading—Hon. Mr. Cartwright .. 581

IMMIGRATION DUTY—Motion that the House go into Committee of the Whole to-morrow to consider certain resolutions—Hon. Mr. Smith 581

THE SEAMAN'S ACT—Motion that the House go into Committee of the Whole to-morrow to consider certain resolutions—Hon. Mr. Smith 581

Inspection of Gas—

Bill to amend the Act respecting—Read the third time and passed—Hon. Mr. Geoffrion 581

THE POSTAL LAW—House in Committee of the Whole on Bill to amend—Hon. D. A. Macdonald 581

Committee rose and reported 585

TABLE OF CONTENTS.

Page

Banks and Banking—

Bill to amend the Act respecting—Referred to Committee of the Whole, clauses adopted and reported, and Bill read the third time and passed—Hon. Mr. Cartwright 585

Administration of Justice in the North West Territories.

Bill to amend the Act respecting—Referred to Committee of the Whole, clauses adopted and reported, and Bill read the third time and passed—Hon. Mr. Fournier 585

Public Debt Bill—

Agreed to in Committee, read the third time and passed—Hon. Mr Cartwright 586

Dominion Notes—

House in Committee, and Bill read the third time and passed—Hon. Mr. Cartwright 586

Immigration Act Amendment Bill—

Second Reading—Hon. Mr. Smith 586

Insurance Bill—

Resolutions agreed to in Committee, Bill read the second time, and referred to Committee on Banking and Commerce—Hon. Mr. Smith 586

Appointment of Harbour Masters—

Resolutions agreed to in Committee, Bill introduced founded thereon, and read the first time—Hon. Mr. Smith 586

County Court Judges—

Bill to provide salaries for, in Nova Scotia—Read the first time—Hon. Mr. Fournier 587

Sick and Distressed Mariners' Fund—

House in Committee to consider Resolutions—Hon. Mr. Smith 587
After short debate, resolutions agreed to and reported 588

Interpretation Act Amendment—

Bill read the second time, agreed to in Committee, read the third time and passed—Hon. Mr. Fournier 589

SUPERVISOR OF CULLERS—Resolutions agreed to in Committee, and Bill founded thereon, read the first time—Hon. Mr. Geoffrion 589

HOUSE IN COMMITTEE OF SUPPLY—

STEEL RAILS FOR INTERCOLONIAL RAILWAY—Question, Hon. Mr. Mitchell; Answer, Hon. Mr. Mackenzie 589

INTERCOLONIAL RAILWAY AT ST. JOHN—Question, Mr. Domville ; Answer, Hon. Mr. Mackenzie 590

ST. LAWRENCE CANALS—Question, Mr. Lanthier ; Answer, Hon. Mr. Mackenzie 590

WELLAND CANAL—Question, Mr. McCallum ; Answer, Hon. Mr. Mackenzie .. 590

After debate, estimate passed 596

ST. ANNE'S LOCKS—Question, Mr. Rochester ; Answer, Hon. Mr. Mackenzie .. 596

CARILLON AND CHUTE A BLONDEAU CANAL—Question, Mr. Rochester; Answer, Hon. Mr. Mackenzie 596

RIDEAU CANAL—Question, Mr. Rochester ; Answer, Hon. Mr. Mackenzie .. 596

PUBLIC BUILDINGS IN ONTARIO—Question, Mr. Patterson ; Answer, Hon. Mr. Mackenzie 597

Committee rose and reported progress 598

TABLE OF CONTENTS.

Page

WEDNESDAY, MARCH 10TH.

Private Bills—

First Readings—Respecting the Montreal Saving and Loan Company; Mr. Jetté. Respecting the Canada Central Railway; Mr. Buell 598

CHATHAM BRANCH RAILWAY—Question, Hon. Mr. Mitchell; Answer, Hon. Mr. Mackenzie 598

SALARIES OF SAGUENAY AND GASPÉ JUDGES—Question, Mr. Cimon; Answer, Hon. Mr. Fournier 599

MARINE HOSPITAL AT LIVERPOOL, N. S.—Question, Mr. Forbes; Answer, Hon. D. A. Macdonald 599

GOVERNMENT OFFICES AT GUELPH—Question, Mr. Stirton; Answer, Hon. Mr. Mackenzie 599

BRITISH COLUMBIA TELEGRAPH LINES—Motion that certain information be conveyed to the Western Union Telegraph Company, and that the attention of Government be called to the same subject—Mr. De Cosmos 599

After short debate, motion withdrawn 600

Surveys of the St. Lawrence—

Motion for returns of reports and surveys of the St. Lawrence River, and probable estimates of improving the navigation of the river to twelve feet of water; and also to fourteen feet of water—Mr. Blain 600

After debate, the motion was withdrawn 606

Commercial Reciprocity with the United States—Motion—

"That an Address be presented to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House all the correspondence, despatches, and papers connected with the negotiations with the Government of the United States for a Treaty of Commercial Reciprocity—(*Mr. Plumb*) 607

Resolved that the debate be adjourned 608

Private Bills—

Second Readings—To Incorporate the Manitoba and North-West Permanent Building Society; Mr. Irving. To Incorporate the Montreal Northern Colonization Railroad Company; to Incorporate the St. Lawrence Bridge Company; and to Incorporate the National Insurance Company; Mr. Desjardins. To Incorporate a Company to construct a portion of the Pacific Railway; Mr. Dewdney. To Incorporate the Canadian Steam Users' Association; Mr. Maclennan. To Incorporate the Anglo-French Steamship Company; Mr. Jones (Halifax). To Incorporate the Canadian Gas Lighting Company; Hon. Mr. Cameron (South Ontario) 608

New Brunswick School Law—

Resumption of the adjourned debate on the motion of Mr. Costigan—

"That an Address be presented to Her Majesty, on the subject of the law respecting Common Schools adopted by the Legislature of New Brunswick in 1871, and praying for the passing of an Act making certain amendments to the British North America Act of 1867 609

Motion in amendment—

That all the words after "that" in the original resolution be omitted, and the following substituted:—"In the opinion of this House, legislation by the Parliament of the United Kingdom encroaching on any powers reserved to any one of the Provinces by the British North America Act would be an infraction of the Provincial constitution, and that it would be inexpedient, and fraught with danger to the autonomy of the Provinces, for this House to invite such legislation."—(*Hon. Mr. Mackenzie*) .. 611

Page

Motion in Amendment to the Amendment—

That on the 29th of May, 1872, the House of Commons adopted the following resolution :—" This House regrets that the School Act recently passed in New Brunswick is unsatisfactory to a portion of the inhabitants of that Province, and hopes that it may be so modified during next session of the Legislature of New Brunswick as to remove any just grounds of dissatisfaction that now exist." That this House regrets that the hope expressed in the said resolution has not been realized, and that an humble Address be presented to Her Most Gracious Majesty the Queen embodying this resolution, and praying that Her Majesty will be graciously pleased to use Her influence with the Legislature of New Brunswick to procure such a modification of the said Act as shall remove such grounds of discontent—(*Hon. Mr. Cauchon*) ... 613

Motion that the debate be adjourned—Mr. Costigan 613

The House divided, when the motion for the adjournment of the debate was declared *resolved* in the negative—60 votes to 124 614

After debate, the House divided on the Amendment to the Amendment, which was *resolved* in the affirmative—114 votes to 73 632

The House then divided on the Amendment as amended, when the same was declared *resolved* in the affirmative—121 votes to 61 633

The question being on the main motion as amended, the same was declared *resolved* in the affirmative—119 votes to 60 634

Address drafted and reported—*Ordered* that an Address be presented to His Excellency requesting him to transmit the same to Her most Gracious Majesty, to be laid on the foot of the Throne 634

THURSDAY, MARCH 11TH.

Building Societies Bill—

First Reading—Mr. Jetté 634

CIVIL SERVICE—Motion that the House go into Committee of the Whole to-morrow to consider certain resolutions respecting—Hon. Mr. Cartwright 635

TRINITY HOUSE, QUEBEC—Motion that the House go into Committee of the Whole to morrow to consider certain resolutions respecting—Hon. Mr. Smith .. 635

REPORTING OF MR. PLUMB'S SPEECH—Sir John A. Macdonald 635

Lachine Canal—

Motion for an Address to His Excellency for copies of correspondence between the Government and proprietors of land in the vicinity of the Lachine Canal, etc.—Mr. Kirkpatrick 636

After debate, motion agreed to 639

Postal Act Amendment—

Bill read the third time and passed—Hon. D. A. Macdonald 639

SICK AND DISTRESSED MARINERS—Motion for reception of the report of the Committee of the Whole—Hon. Mr. Smith 639

Resolutions concurred in, and Bill founded thereon introduced and read the first time—Hon. Mr. Smith 640

Penitentiaries Act Amendment—

Bill read the second time, referred to Committee of the Whole, and reported—Hon. Mr. Fournier 640

REPORTING OF MR. PLUMB'S SPEECH—Hon. Mr. Mackenzie 641

Certificates to Masters and Mates of Ships—

House in Committee on Resolutions, which were adopted and reported, and Bill founded thereon introduced and read the first time—Hon. Mr. Smith .. 642

Page

Administration of Justice Bill—

(From the Senate)—Agreed to in Committee of the Whole, read the third time and passed 642

Central Prison (Ontario) Bill—

Agreed to in Committee of the Whole, read the third time, and passed—Hon. Mr. Fournier 642

Speedy Trials Bill—

Agreed to in Committee of the Whole, read the third time, and passed—Hon. Mr. Fournier 642

Copyrights Bill—

(From the Senate)—Motion for Second Reading—Hon. Mr. Mackenzie .. 642
Motion withdrawn 643

The Baie Verte Canal—

Motion in Amendment to motion for concurrence—

That item 83 of the estimates (being $1,000,000, for the construction of the Baie Verte Canal) be not concurred in, but that it be reduced from $1,000,000 to $20,000—(*Hon. Mr. Mackenzie*) 643
After debate, the Amendment was, on division, declared *resolved* in the affirmative 652

Private Bill—

(From the Senate)—First Reading—Relating to the Niagara and District Bank 653

FRIDAY, MARCH 12TH.

Private Bill—

First Reading—Respecting the Canada Southern Railway—Mr. Macdougall (Elgin).. 653

REPORTING THE DEBATES—Motion for a Select Committee for next Session—Mr. Ross (Middlesex) 653

Intercolonial Railway Bill—

First Reading—Hon. Mr. Mackenzie 653

North West Territories Act Amendment Bill—

Motion for leave to introduce—Hon. Mr. Mackenzie 653
After debate, leave granted, and Bill read the first time 662

NORTHERN RAILWAY—Motion for leave to introduce a Bill—Hon. Mr. Mackenzie 662
After debate, motion withdrawn 663

Pacific Railway—

Motion for concurrence in estimate—Hon. Mr. Mackenzie.. 663
On motion of Hon. Mr. Tupper, it was *resolved* that the debate be adjourned.. 687

Private Bills—

Third Readings—To Incorporate the *Intelligencer* Printing and Publishing Company ; Mr. Bowell. To Incorporate the Lower Ottawa Boom Company ; Mr. Currier 668
Second Readings—To Incorporate the Canada Land Investment and Guarantee Company ; and Respecting the Canada Guarantee Company ; Mr. Jetté. To Incorporate the Dominion Railways Equipment Company ; Mr. Blain. Relating to the Intercolonial Express Company ; Mr. Baby. Respecting the Canada Central Railway ; Mr. Buell. Respecting the Niagara District Bank —Mr. Plumb 668

Peterson Divorce Bill—

(From the Senate)—Motion for first Reading—Mr. Mac'ennan 687

Page

A division being taken, the motion was declared *resolved* in the affirmative, and Bill referred to a Special Committee—78 votes to 46 688

Northern Railway Bill—

First Reading—Hon. Mr. Mackenzie 693

Pacific Railway—

Resumption of the Debate on the motion of Hon. M. Mackenzie for concurrence in the Pacific Railway Estimate—Mr. White.. 693

Motion in Amendment to the motion for Concurrence—

That in view of the engagements entered into during the past year between the Government of Canada and the Imperial Government and British Columbia, to build a railroad without delay from Nanaimo to Esquimault, on Vancouver Island, and to expend not less than $2,000,000 per annum in British Columbia on the Canadian Pacific Railroad ; and to complete the construction of the line from the Pacific Ocean to the shore of Lake Superior in fifteen years ; this House is of opinion that no time should be lost in beginning the Eastern portion of the Canadian Pacific Railroad, and constructing it as rapidly as is consistent with a due regard to economy, from the point fixed by Parliament at or near to the South of Lake Nipissing westward to Lake Nepigon, and thence to Red River, commencing at Lake Nepigon and working Eastward and Westward ; and that the Government should employ the available funds of the Dominion in the first place for the completion of that great national work—a continuous railway on Canadian Territory by the shortest route from the Atlantic to the Pacific Ocean.—(*Hon. Mr. Tupper*) 696

The House divided, when the amendment was declared *resolved* in the negative —43 votes to 117 697

The question being put, it was moved in Amendment—

That this resolution be not now concurred in, but that it be resolved that in the opinion of this House no contract shall be entered into with any company for the construction of the Georgian Bay Branch of the Pacific Railway, nor any subsidy granted for the construction of the Railway from the Eastern terminus of said Pacific Railway to Douglas or near Douglas, until a thorough and complete instrumental survey shall have been made of the route proposed, and the route of the Matawan, to ascertain which would be the shorter and more economical of construction—(*Mr. Masson*) .. 697

The Amendment was withdrawn, and the Estimate concurred in upon division 698

Canada Central Railway Subsidy—Motion—

That this House do ratify the Order in Council granting a subsidy to the Canada Central Railway under authority of the Act providing for the construction of the Canadian Pacific Railway.—(*Hon. Mr. Mackenzie*) 698

Motion in Amendment—

That the Order in Council be not ratified, but that (and so on, in terms of the Amendment just withdrawn)—(*Mr. Masson*).. 699

The House divided, when the Amendment was declared *resolved* in the negative —39 votes to 113 699

The resolution was then concurred in 699

Private Bills—

First Readings—To Incorporate the Western Insurance Company; and respecting the Canada Car Company—(From the Senate) 699

MONDAY, MARCH 15TH

Private Bills—

FIRST READINGS—Respecting the Mutual Insurance Company of Canada, Mr. Jetté. Respecting the St. Lawrence Steam Navigation Company; and to Incorporate the Quebec and Lake Huron Direct Railway Company; Mr. Caron 699

Dominion Lands in Manitoba

First Reading of Bill to Amend the Act respecting—Hon. Mr. Laird .. 699

Civil Service Superannuation Act Amendment Bill—

First Reading—Hon. Mr. Cartwright 699

TABLE OF CONTENTS.

Page

County Court Judges in Nova Scotia—

First Reading of Bill to provide salaries for—Hon. Mr. Geoffrion 700

Insolvency Bill—

Report of Select Committee presented—Hon. Mr. Fournier 700

CHARGES OF MALPRACTICE—Question of Privilege—Mr. Burpee (Sunbury) .. 700

Private Bills—

Second Readings—To Incorporate the Metropolitan Insurance Company. To Incorporate the North Western Manufacturing Company. Respecting the Montreal, Sorel, and Chambly Railway. Respecting the Bridge over L'Assomption. Respecting the Western Assurance Company; and Respecting the Canada Car Manufacturing Company 703

Niagara International and Suspension Bridges—

Motion that Bill be read the second time—Mr. Moss 703

After short debate, motion agreed to 704

MIRAMICHI VALLEY RAILWAY—Question, Hon. Mr. Mitchell; Answer, Hon. Mr. Mackenzie 704

HARBOR OF LITTLE GLACE BAY—Question, Mr. McDonald, (Cape Breton); Answer, Hon. Mr. Mackenzie 704

THE PLIMSOLL BILL—Question, Hon. Mr. Mitchell; Answer, Hon. Mr. Smith.. 704

THE PROCEEDINGS AGAINST MR. HUOT—Question, Mr. Taschereau; Answer, Hon. Mr. Fournier 704

HARBOR AU BOUCHE—Question, Mr. McIsaac; Answer, Hon. Mr. Mackenzie .. 705

LEVIS CUSTOM HOUSE—Question, Mr. Fréchette; Answer, Hon. Mr. Burpee .. 705

TERMS OF UNION WITH BRITISH COLUMBIA—Question, Mr. De Cosmos; Answer, Hon. Mr. Mackenzie 705

PORT DARLINGTON HARBOR—Address to His Excellency for copies of papers relating to the survey of—Mr. Burk 705

HARBOR AND BREAKWATERS OF PRINCE EDWARD ISLAND—Motion for copies of reports of Engineer in charge—Mr. Yeo 705

LIQUOR LICENSES IN NEW BRUNSWICK—Motion for copies of all decisions rendered by Supreme Court of New Brunswick with reference to jurisdiction of Local Government and Municipal authorities—Mr. Burpee (Sunbury) 705

PILOTAGE—Motion for copies of correspondence with Boards of Trade, etc.—Hon. Mr. Mitchell 705

SUBSIDY TO THE QUEBEC AND GULF PORTS COMPANY—Motion for copies of all papers relating to—Hon. Mr. Mitchell 705

DIRECT ROUTE BETWEEN CANADA AND EUROPE—Motion for reference of Report of the Select Committee of last Session to the Printing Committee—Hon. Mr. Robitaille 706

CHATHAM BRANCH RAILWAY—Motion for copies of all papers relating to—Hon. Mr. Mitchell 706

SECTION SIXTEEN, INTERCOLONIAL RAILWAY—Motion for statement in detail of all moneys paid out by Government in connection with, etc.—Hon. Mr. Mitchell 706

LUMBER EXPORTATION FROM CHICOUTIMI AND SAGUENAY—Motion for returns—Mr. Tremblay 706

MONTREAL HARBOR DUES—Motion for copies of instructions given to Collectors of Customs in Ontario to collect Montreal Harbor Dues, etc.—Mr. Wilkes .. 706

THE KITSON LINE—Motion for copies of Orders in Council granting powers to an American Company to trade on the Red River—Mr. Wilkes 706

TABLE OF CONTENTS.

Page

THE WASHINGTON TREATY—Motion for copies of correspondence respecting entering of fish-oil and fish of British Columbia—Mr. De Cosmos 707

THE CASE OF ALEXANDER YOULL—Motion for a Select Committee to inquire into —Mr. Galbraith.. 707

INSTRUCTIONS TO POSTMASTERS—Motion for copies of—Mr. Bertram 707

INTER-PROVINCIAL TRADE—Motion for returns—Mr. Fleming 707

NEW BRUNSWICK SCHOOL LAW—Motion for copies of the despatch of 7th November, 1873, from the Imperial Government, relating to the decision of the Privy Council—Mr. Tremblay 707

APPOINTMENT OF J. A. HAMEL—Motion for copies of papers respecting—Mr. Cimon 707

MONTREAL REGISTRY DIVISION—Motion for copies of the Provincial Act relating to—Mr. Laflamme 707

LAW PURCHASE ACT OF 1874—Motion for copies of correspondence with the Government of Prince Edward Island—Mr. Perry 707

QUEBEC GRAVING DOCK—Motion for copies of correspondence and papers relating to the site—Hon. Mr. Robitaille 707

ORDNANCE LANDS AT FREDERICTON—Motion for copies of papers relating to the sale of—Mr. Domville 708

THE PLIMSOLL MOVEMENT—Motion for copies of correspondence with Imperial Government, etc.—Hon. Mr. Mitchell 708

GRAVING DOCK AT ESQUIMALT—Motion for copies of correspondence relating to—Mr. De Cosmos 708

PICTOU HARBOR—Motion for copies of correspondence relating to—Mr. Killam .. 708

Civil Servce Reform—Motion—

That the House go into Committee of the Whole to consider the following resolution :—"That the present system of nominations to situations in the Civil Service is not the most convenient, nor the one best calculated to obtain efficient public officers ; that it would be expedient to substitute for it, as far as the exigencies of the service will allow, a system of open competitive examinations as a means of obtaining entrance to the public service—(*Mr. Casey*) 708

After debate, motion withdrawn 715

Prohibitory Liquor Law—Motion—

That the House go into Committee on Resolutions declaring the expediency of the total prohibition of the importation manufacture and sale of spirituous liquors—(*Mr. Ross, Middlesex*) 715

Motion in Amendment—

That all the words after "that" in the original resolution be left out, and that the following be inserted in lieu thereof :—*Resolved*, that in the opinion of this House a Prohibitory Liquor Law is the only effectual remedy for the evils of intemperance, and that it is the duty of the Government to submit such a measure for the approval of Parliament at the earliest movement practicable—(*Mr. Schultz*) 734

Motion that the debate be adjourned—Hon. Mr. Mackenzie 735

After debate, the motion to adjourn the debate was *resolved* in the affirmative on a division 736

TUESDAY, MARCH 16TH.

Huron and Ontario Ship Canal—

First Reading of Bill respecting—Mr. Blain 736

NORTH-WEST TERRITORIES—House in Committee of the Whole, and passed resolutions providing salaries for Lieut. Governor, Magistrates, &c., of the new Province—Hon. Mr. Mackenzie 736

TABLE OF CONTENTS

Page

Cask Marks Bill—

Read the second time, agreed to in Committee, read the third time, and passed 737

Inspection of Life Insurance Companies Bill—

Read the second time, passed through Committee, and reported—Hon. Mr. Cartwright 737

SALARIES OF SUPREME COURT JUDGES—House in Committee of the Whole, and passed resolutions providing salaries for the Judges of the Supreme Court .. 737

Supreme Court Bill—

Motion for second Reading—Hon. Mr. Fournier 737

After debate, motion agreed to 746

Motion—That the Bill be referred to Committee of the Whole to-morrow—Hon. Mr. Fournier 746

After debate, motion agreed to 756

QUEBEC TRINITY HOUSE—House in Committee of the Whole to consider certain resolutions—Hon. Mr. Mackenzie 756

Supervisor of Cullers Bill—

Motion for second reading—Hon. Mr. Geoffrion 756

Motion in Amendment—

That the following Sections of the Bill be struck out, viz., Clauses 5, 6, 11, 12, 13, 14, 17, 18, 19, 20, 24, 30, 31, 32, 33, 34, 35 and 40, together with all such parts of the Bill as are inconsistent with the provisions of the Act repealed—(*Mr. Rochester*) ..

Amendment negatived, and Bill passed and reported 759

Civil Service—

Bill—House in Committee on resolutions to increase the salaries of Civil Servants—Hon. Mr. Cartwright 759

After debate, resolutions adopted and reported 763

Common Carriers—

Second Reading of Bill—Mr. Irving 763

WEDNESDAY, MARCH 17TH.

ST. PATRICK'S DAY—Ministerial Explanation—Hon. Mr. Mackenzie 763

THE DUTY ON TEA—Question, Mr. Donahue ; Answer, Hon. Mr. Cartwright .. 763

QUEBEC GRAVING DOCK—Question, Mr. Fréchette ; Answer, Hon. Mr. Mackenzie 764

ORDER OF MOTIONS—Question of Order—Hon. Mr. Holton 764

THE VETERANS OF 1812-14—Question, Mr. Delorme ; Answer, Hon. Mr. Vail .. 764

THE CASE OF MR. JUSTICE BOSSE—Question, Mr. Taschereau ; Answer, Hon. Mr. Fournier 764

ESCUMINAC LIGHT HOUSE—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Smith 765

WAY-OFFICE SYSTEM IN NOVA SCOTIA—Question, Mr. Borden ; Answer, Hon. D. A. Macdonald 765

INDIAN VETERANS OF 1812-14—Question, Hon. Mr. Pope ; Answer, Hon. Mr. Mackenzie 765

BAYFIELD HARBOR—Question, Mr. McIsaac ; Answer, Hon. Mr. Mackenzie .. 765

LAND GRANTS TO VOLUNTEERS—Question, Sir John A. Macdonald ; Answer, Hon. Mr. Mackenzie 765

TABLE OF CONTENTS.

Page

Private Bills—

Second and third Readings—Respecting the European and North American Railway, and Relating to the Provincial Insurance Company of Canada .. 766

Second Readings—Respecting the Erie and Niagara Railway, and Respecting the Montreal Permanent Building Society 766

Peterson Divorce Bill—

Motion for second Reading—Mr. Maclennan 766

Motion in Amendment—

That the Bill be not now read the second time, but that it be read the second time this day three months—(*Mr. Taschereau*) 766

The House divided, when the amendment was declared *resolved* in the negative —72 votes to 84.. 767

Motion in Amendment—

That the Bill be not now read the second time, but that it be referred back to the Committee for reconsideration—(*Mr. Mac Millan*)—Ruled out of Order 767

The question being on the original motion, the House divided, when the same was declared *resolved* in the affirmative—82 votes to 71.. 768

PRINCE EDWARD ISLAND RAILWAY—Motion for copies of correspondence relating to—Mr. Sinclair.. 768

LEASES OF WATER POWER ON RIDEAU CANAL—Motion for returns—Mr. Jones (Leeds) 769

LONDON EMIGRATION OFFICE—Motion for a return of expenses—Mr. Colby .. 770

Eastern Connection with the Pacific Railway—

Motion for copies of correspondence between the Dominion Government and the Government of the Province of Quebec—Mr. Masson 770

After debate, motion agreed to 772

WHITBY HARBOR—Motion for copies of the Report of Survey—Mr. Gordon .. 772

THURSDAY, MARCH 18TH.

THE LENGTH OF THE SESSION—Question, Hon. Mr. Holton; Answer, Hon. Mr. Mackenzie 773

CANNED LOBSTERS—Violation of the Treaty of Washington—Mr. Jones (Halifax) 774

Insurance Bill—

Third Reading—Hon. Mr. Cartwright.. 775

Cullers of Timber Bill—

House in Committee on certain proposed amendments—Hon. Mr. Geoffrion .. 775

Controverted Elections Act Amendment—

House in Committee on Bill—Hon. Mr. Fournier 776

After short debate, Bill reported 777

Protection of Persons and Property on Railways—

Second and third Readings—Hon. Mr. Mackenzie 777

Nova Scotia County Courts Bill—

Second and third Readings—Hon. Mr. Fournier.. 777

Copyrights Bill—

Motion for second Reading—Hon. Mr. Mackenzie 777

After debate, motion agreed to, Bill referred to Committee of the Whole, reported, read the third time, and passed 781

Page

Seamans' Act Amendment—

House in Committee, resolutions reported, and Bill founded thereon introduced and read the first time—Hon. Mr. Smith 782

Patent Act Amendment—

Bill Read the second time, and agreed to in Committee—Hon. Mr. Laird .. 782

Intercolonial Railway Bill—

Second and third Readings—Hon. Mr. Mackenzie 783

Civil Service Superannuation Act Amendment—

House in Committee, Bill reported, read the third time, and passed—Hon. Mr. Cartwright 784

Insurance Bill—

Read the second time, referred to Committee of the Whole, and reported—Hon. Mr. Cartwright 784

On the motion for the third reading, moved in amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to so amend it as to provide that the same amount of security be deposited with the Receiver General for the protection of the public against Canadian Companies as is required to be deposited by foreign companies, viz., $100,000—(*Mr. Oliver*) 785

After debate, the amendment was negatived on a division, and the Bill read the third time, and passed 786

Northern Railway Bill—

Motion that the Bill be read the second time—Hon. Mr. Mackenzie.. .. 786

After debate, the motion was carried on a division 792

Esquimalt and Nanaimo Railway—

First Reading of Bill—Hon. Mr. Mackenzie 792

Manitoba Land Titles—

First Reading of Bill—Hon. Mr. Laird 793

Manitoba Act Amendment—

First Reading of Bill—Hon. Mr. Laird 793

Dominion Lands Act Extension—

First Reading of Bill—Hon. Mr. Laird 793

PAYMENTS TO JUDGES—Return to Address presented—Hon. Mr. Cartwright .. 793

PETITION OF THE MEMBER FOR VICTORIA (N. S.)—Motion that it be printed on the Orders of the Day—Hon. Mr. Blake 793

County Courts (NOVA SCOTIA)—

Bill read the second time and agreed to in Committee—Hon. Mr. Fournier .. 794

Patent Rights—

(Bill from the Senate)—First Reading—Hon. Mr. Mackenzie.. 795

Pilotage Act Amendment—

Resolutions agreed to in Committee, and Bill founded thereon introduced and read the first time—Hon. Mr. Smith 795

Patent Act Amendment—

Third Reading of Bill—Hon. Mr. Laird 795

Page

Northern Railway Bill—

Motion, that the Bill be read the third time—Hon. Mr. Mackenzie 795

Motion in Amendment—

That the Bill be not now read the third time, but that it be read the third time this day six months—(*Mr. McCallum*) 796

Amendment declared *resolved* in the negative, on a division, and Bill read the third time, and passed 796

Controverted Elections Act Amendment—

House in Committee to consider Bill—Hon. Mr. Fournier 796

Motion, that certain clauses be added—Hon. Mr. Cameron (Cardwell) . . 796

After debate, the Bill was agreed to as amended, and reported 801

Distressed Mariners Act Amendment—

Bill agreed to in Committee and Reported—Hon. Mr. Smith 801

Private Bills—

Third Readings—Respecting the Montreal Board of Trade; to Incorporate the Levis Board of Trade; Respecting the Western Insurance Company; Respecting the Richelieu Company; Respecting the Canadian Navigation Company; to Incorporate the European and American Express Agency Company; and to Incorporate the Anglo-French Steamship Company 801

Second Readings—To Incorporate the Quebec and Lake Huron Direct Railway; and Respecting the Huron and Ontario Ship Canal 801

Peterson Divorce Bill—

Bill agreed to in Committee on Division—Mr. Maclennan 801

On the motion for the third reading, the House divided, when the same was *resolved* in the affirmative—81 votes to 61 802

SALARIES OF SUPREME COURT JUDGES—Report of Committee of the Whole on resolutions respecting received and concurred in—Hon. Mr. Fournier . 802

TRINITY HOUSE, QUEBEC—Report of Committee of the Whole on resolutions respecting received and concurred in—Hon. Mr. Smith 802

Suits against the Crown Bill—

Second Reading—Mr. Irving 802

Exchange and Promissory Notes Act Amendment Bill—

Second and third Readings—Hon. Mr. Cameron (Cardwell) 803

Protection of Life on Wharves—

Motion for second reading of Bill—Mr. Irving 803

Ruled out of Order 803

Summary Trials—

Bill read the second time, agreed to in Committee, and reported—Mr. Irving . . 803

DOMINION NOTE CIRCULATION—Motion for a Select Committee withdrawn—Mr. Wilkes 803

CONSTITUTION OF THE SENATE—Motion for the House to go into Committee on resolutions withdrawn—Mr. Mills 804

TABLE OF CONTENTS.

Page

Prohibitory Liquor Law—

On the order to resume consideration of the motion of Mr. Ross (Middlesex) for a Committee of the Whole to consider a series of resolutions, and the motion of Mr. Schultz in amendment thereto—

Motion in amendment to the Amendment—

That all the words after "that" in the Amendment be struck out, and that the following be substituted—"That this House do forthwith resolve itself into Committee of the Whole to consider the means best calculated to diminish the evils of intemperance"—(*Mr. Oliver*) 804

The amendment to the Amendment was carried on division, and it was thereupon resolved that the amendment as amended stand part of the question. The question being on the original motion, the same as amended was resolved in the affirmative 804

The House being in Committee of the Whole, motion made—

That having regard to the beneficial effects arising from a Prohibitory Liquor Law in the States of the American Union in which the same is fully carried out, the House is of opinion that the most effectual remedy of the evils of intemperance is to prohibit the manufacture, importation, and sale of intoxicating liquors—(*Mr. Ross, Middlesex*) .. 804

Motion in amendment—

That the following words be added to the resolutions :—And that it is the duty of the Government to prepare a measure at as early a day as possible to carry the principles of prohibition into effect—(*Mr. Bowell*) 804

Motion in amendment to the amendment—

That the Committee rise, report progress, and ask leave to sit again. Which on division was agreed to—(*Hon. Mr. Holton*) 804

Suppression of Gaming Houses Bill—

Second Reading—Mr. Moss 804

HOMESTEAD RIGHTS AND WOOD LOTS IN MANITOBA—Questions, Mr. Ryan and Mr. Schultz ; Answer, Hon. Mr. Laird 806

PROHIBITORY LIQUOR LAW—Omission in official report 806

Railway Properties Bill—

First Reading—Mr. Jetté 807

PETITION OF THE MEMBER FOR VICTORIA (N. S.)—Question of Privilege—Hon. Mr. Blake 807

NORFOLK COUNTY COURT—Question, Mr. Charlton ; Answer, Hon. Mr. Mackenzie 809

Insolvency Bill—

House in Committee on—Hon. Mr. Fournier 809

After long debate, the Committee rose and reported the first clause without amendment 833

Quebec Trinity House Bill—

First Reading—Hon. Mr. Smith 833

Harbor Masters' Act Amendment Bill—

First Reading—Hon. Mr. Smith 833

Certificates of Masters (Inland Waters)—

First Reading of Bill—Hon. Mr. Smith 833

Criminal Law Amendment Bill—

First Reading—Hon. Mr. Fournier 833

PETITION OF THE MEMBER FOR VICTORIA (N. S.)—Question of Privilege—Hon. Mr. Blake 833

TABLE OF CONTENTS.

Page

Private Bills—

Third Readings—To Incorporate the Royal Mutual Assurance Company of Canada ; Mr. Jetté. To Incorporate the National Insurance Company ; Mr. Desjardins. Respecting the Great Western Railway Company ; Mr. Moss. To Incorporate the Canadian Steam Users' Association ; Mr. Maclennan .. 834

Second Readings—Respecting the Mutual Insurance Company of Canada ; Mr. Jetté. Respecting the St. Lawrence Steam Navigation Company ; Mr. Caron 834

STEAM COMMUNICATION WITH PRINCE EDWARD ISLAND—Question, Mr. Perry ; Answer, Hon. Mr. Mackenzie 834

GAS IN THE HOUSE OF COMMONS—Question, Mr. Charlton ; Answer, Hon. Mr. Mackenzie 834

STEAM DREDGE AT LINGAN HARBOR—Question, Mr. Macdonald (Cape Breton) ; Answer, Hon. Mr. Mackenzie 835

DREDGING THE ST. CROIX—Question, Mr. Gillmor ; Answer, Hon. Mr. Mackenzie 835

THE VETERANS OF 1812-14—Question, Mr. Brouse ; Answer, Hon. Mr. Vail .. 835

Commercial Reciprocity with the United States—

Resumption of the discussion on motion for correspondence—Mr. Plumb .. 835

After debate, motion agreed to 842

TRADE RELATIONS WITH THE HAWAIIAN KINGDOM—Motion—

That in view of extending the commerce of the Dominion on the Pacific, it is desirable that the Government take into consideration the advisableness of securing a Commercial Treaty between Canada and the Hawaiian Kingdom, similar to the Treaty negotiated between that Kingdom and the United States—(*Mr. De Cosmos*) .. 842

STEEL RAILS FOR THE INTERCOLONIAL RAILWAY—Question, Mr. Palmer ; Answer, Hon. Mr. Mackenzie 843

International Arbitration—

Motion for an Address to Her Majesty praying

That she will be graciously pleased to cause her principal Secretary of State for Foreign Affairs to enter into negotiations with Foreign Powers with a view to further improvement in International Law, and the establishment of a general and permanent system of International Arbitration—(*Hon. Mr. Cameron, South Ontario*) 843

Motion in Amendment—

That all the words after "that" in the original motion to be left out, and the following inserted :—"This House will at all times be ready to give its best consideration to any practical legislation that may tend to promote international intercourse, and thus, by establishing a community of interest between Canada and foreign States, secure the maintenance of peace—(*Mr. Dymond*) 856

After debate, both motion and amendment were withdrawn 858

DIVORCE COURT—Motion—

That the practice of granting divorces by Act of Parliament is, for many reasons, objectionable, and that relief in all matters matrimonial would be best secured by creating a Court in each of the Provinces with exclusive jurisdiction in matters matrimonial ; and with authority in certain cases to decree a dissolution of marriage—(*Mr. De Cosmos*) 858

Motion in Amendment—

That all divorce Courts existing in the Dominion be abolished—(*Mr. Bechard*) .. 859

The amendment having been withdrawn, the House divided, when the original motion was declared *resolved* in the negative—5 votes to 134 861

TUESDAY, MARCH 23RD.

Quebec Graving Dock—

First Reading of Bill—Hon. Mr. Mackenzie 861

NEW BRUNSWICK SCHOOL LAW—Question of Privilege—Mr. Devlin 861

TABLE OF CONTENTS.

Page

REPORT OF THE SUB-COMMITTEE OF THE COMMITTEE ON PUBLIC ACCOUNTS—Question of Privilege—Mr. Domville 864

Culling of Timber—

Motion for third reading—Hon. Mr. Geoffrion 867

Bill recommitted to insert the word "fees" after "salaries" in the 6th clause, and erasing all the clause after the word "proper"—Mr. Macdougall (Renfrew).. 868

On the third reading being again moved, motion in amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole with instructions to strike the word salaries in the 6th clause—(*Mr. Currier*) 869

Amendment negatived, and Bill read the third time and passed 869

Salaries of County Court Judges (Nova Scotia)

Third Reading of Bill—Hon. Mr. Fournier. 869

Sick and Distressed Mariners—

Third Reading of Bill—Hon. Mr. Smith 869

Dominion Lands in Manitoba—

Second Reading of Bill—Hon. Mr. Laird 869

Masters and Mates of Ships (Inland Waters)—

Second Reading of Bill—Hon. Mr. Mackenzie 869

Letters Patent Act Amendment—

(Bill from the Senate)—Second and third readings—Hon. Mr. Mackenzie .. 869

Speedy Trials (Manitoba)—

(Bill from the Senate)—Second reading—Hon. Mr. Mackenzie 869

Marine Electric Telegraphs Bill—

(Amendments from the Senate)—Motion for second reading—Hon. Mr. Mackenzie 870

Motion in amendment to add the following words to the amendment made to the 14th Section :—

"Giving notice at the same time that said other Company has stipulated with the Government that the rates for the transmission of messages will not be greater than those charged at the date of said notice by the existing companies"—(*Mr. Bowell*) .. 871

Amendment ruled out of order 871

Motion in amendment to the amendments made to clause 14—

"That the word 'three' before the word 'months' be struck out, and 'twelve' be substituted therefor"—(*Hon. Mr. Tupper*) 871

Amendment negatived on a division, and original motion agreed to 873

Controverted Elections Act Amendment—

Third Reading of Bill—Hon. Mr. Fournier 873

Shipmasters' Certificates—

Second Reading of Bill—Hon. Mr. Smith 873

Pilotage Act Amendment—

Second and third readings of Bill—Hon. Mr. Smith 873

Insolvency Bill—

House in Committee upon—Hon. Mr. Fournier.. 874

After discussion, the Committee rose and reported the Bill with several amendments 881

TABLE OF CONTENTS

Page

WEDNESDAY, MARCH 24TH.

Fisheries Act Amendment—

First Reading of Bill—Hon. Mr. Cartwright 881

Larceny Act Amendment Bill—

First Reading—Hon. Mr. Fournier 881

EXPORT DUTY ON OAK LOGS—House in Committee on resolutions—Hon. Mr. Cartwright 881

Resolution concurred in and reported 886

Government Railways Bill—

First Reading—Hon. Mr. Mackenzie 886

SOREL CUSTOM HOUSE—Question, Mr. Barthe ; Answer, Hon. Mr. Mackenzie .. 886

WAY-OFFICE AT LAKE SETTLEMENT—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie 887

IMPORT DUTY ON FLOUR—Question, Mr. Fraser ; Answer, Hon. Mr. Mackenzie .. 887

DREDGING HARBORS—Question, Mr. McDonald (Cape Breton) ; Answer, Hon. Mr. Mackenzie 887

Agricultural Interests of the Dominion—

Motion for a Special Committee—Mr. Orton 887

After discussion, the debate was adjourned 893

Private Bills—

Third Readings—Respecting the International Express Company ; and to incorporate the Metropolitan Insurance Company of Canada 893

L'Assomption Bridge Bill—

Motion that the House go into Committee of the Whole upon—Mr. Baby .. 893

After debate, motion agreed to 896

Northern Railway (Private Bill)—

Third Reading—Mr. Cockburn 896

Montreal, Chambly and Sorel Railway (Private Bill)—

Third Reading—Mr. Jetté 896

Canada Central Railway Bill—

Third Reading 896

WEIGHTS AND MEASURES ACT—Observations—Mr. Jones (Halifax) 896

THE VETERANS OF 1812-14—Question, Mr. Brouse ; Answer, Hon. Mr. Vail .. 897

Gaming Houses—

Third Reading of Bill—Mr. Moss 898

Speedy Trials—

Third Reading of Bill—Mr. Macdougall (Elgin) 898

Prevention of Cruelty to Animals while in Transit—

Third Reading of Bill—Mr. Charlton 898

Returns from Railway Companies—

Third Reading of Bill—Mr. Irving 898

Interest and Usury in New Brunswick—

Third Reading of Bill—Mr. Palmer 898

Page

Suits against the Crown Bill—

Third Reading—Mr. Irving 898

Criminal Law Amendment Act Repeal Bill—

Motion for second reading—Mr. Irving 898

After discussion, the debate was adjourned 904

Inspection of Fish Bill—

Second Reading—Mr. Forbes 904

THURSDAY, MARCH 25TH.

Quebec Graving Dock—

Motion that the House go into Committee of the Whole to consider certain resolutions—Hon. Mr. Mackenzie 905

After debate, motion agreed to 907

Insolvency Bill—

House in Committee for the purpose of making certain amendments to several clauses—Hon. Mr. Fournier 907

Amendments reported, and motion made that the Bill be read the third time .. 907

Motion in Amendment—

That the Bill be referred back to Committee of the Whole for the purpose of substituting the following for the first clause :—" This Act shall apply to all debtors, and to all copartnerships and companies, whether incoporated banks, insurance, railway and telegraph companies, and debts incurred by breaches of trust."—(*Mr. Bowell*) ... 908

The House divided, when the amendment was declared *resolved* in the negative —41 votes to 119 909

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole with instructions to add to the end of the third section the following words :—" Et les dettes dues par un failli, aux personnes du présent Acte, ne seront pas non plus comprises dans la décharge accordée à tel failli, mais ce dernier votera, nonobstant cette décharge, responsable du paiement de toute partie de pareille dette qui n'aura pas été payée à ces personnes ne réputées commerçants, à même les dividend déclarés sur les biens du failli en vertu du présent Acte."—(*M. Bourassa*) .. 909

The House divided, when the amendment was declared *resolved* in the negative —62 votes to 99.. 910

Moved in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole for the purpose of amending the first clause by adding the words "lumbermen, millmen, contractors and fishermen."—(*Hon. Mr. Mitchell*) 910

Amendment negatived on a division 910

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred to Committee of the Whole for the purpose of striking out the 58th clause, which makes it a condition that if a dividend is less than 33 per cent., a discharge may be refused.—(*Mr. Colby*) 910

After debate, the amendment was declared *resolved* in the negative on a division 914

Motion in Amendment—

That the Bill be referred back to Committee of the Whole with instructions to amend it in such a way as to provide that all debts due by an insolvent to such persons as farmers, graziers, or common laborers, who are excepted from the operations of this Act, be considered preferential.—(*Mr. Bechard*) 914

The House divided, when the amendment was declared *resolved* in the negative —56 votes to 83.. 915

Motion in Amendment—

That the Bill be referred back to Committee of the Whole, with instructions to amend the 58th Section by striking out " 33 " and inserting " 10 " in place thereof.—(*Mr. Colby*) 915

TABLE OF CONTENTS.

Page

The House divided, when the amendment was declared *resolved* in the negative —44 votes to 116 917

Motion in Amendment—

That the Bill be not now read the third time, but that the further consideration thereof be postponed to this day three months.—(*Mr. Palmer.*) 917

The House divided, when the amendment was declared *resolved* in the negative —41 votes to 115 920

Motion in Amendment—

That when it is proved that the insolvent has lived more extravagantly than his station and condition in life justify, be shall be liable to a term of imprisonment in the penitentiary for a term not exceeding five years.—(*Mr. Metcalfe*)— 920

The Amendment was negatived on a division 920

Motion in Amendment—

That the Bill be referred back to Committee of the Whole for the purpose of adding certain resolutions, respecting Official Assignees.—(*Mr. Barthe*).. 920

Amendment ruled out of order 921

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to strike out words in different clauses, so as to exempt British Columbia from the operations of the Act.—(*Mr. Thompson, Cariboo*) 921

Amendment lost on division 921

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to add the words "Building Societies" after the words "Telegraph Companies" in the first clause.—(*Mr. Mousseau*) 921

Amendment lost 921

Motion in Amendment—

That the Bill be referred back to Committee with instructions to strike out the word "Master" where it occurs in the first clause in connection with the word "Quarryman" —(*Mr. Goudge.*) 921

Amendment agreed to, and Bill read the third time and passed 921

Supreme Court Bill—

Motion that the House go into committee to consider—Hon. Mr. Fournier .. 921

Motion in Amendment—

That (for certain reasons set forth) the proposed establishment of the said Supreme Court and Court of Exchequer is not now desirable, and would not justify the considerable expense which they would entail upon the country, and the costs, frequently ruinous, which suitors amenable to their jurdisdiction would have to incur.—(*Mr. Baby.*) .. 928

Debate, on motion of Hon. Mr. Mackenzie, adjourned 928

SATURDAY, MARCH 29TH.

Criminal Law Amendment Act—

Amendment Bill—First Reading of—Hon. Mr. Fournier 928

Cape Race Light House—

House in Committee of the Whole to consider certain resolutions ; resolutions adopted, and Bill founded thereon introduced and read the first time—Hon. Mr. Smith 928

SUPPLEMENTARY ESTIMATES—Message from His Excellency transmitting, which. on motion, was referred to Committee of Supply 928

ACTS OF PROVINCIAL LEGISLATURES.—Address for copies of Orders in Council relating to the allowance or disallowance of—Sir John A. Macdonald .. 928

THE COASTING TRADE.—House in Committee, and agreed to certain resolutions upon which Bill was founded and read the first time—Hon. Mr. Smith .. 928

TABLE OF CONTENTS.

Page

THE PLIMSOLL BILL.—Observations—Mr. Goudge 929

Foreign Enlistment Bill—
Third Reading—Hon. Mr. Fournier 929

Dominion Lands (Manitoba) Act—
Amendment Bill—Third Reading of—Hon. Mr. Laird 930

Harbour Masters' Act—
Second Reading of Amendment Bill—Hon. Mr. Smith 930

Manitoba Land Claims Bill—
Second and third readings—Hon. Mr. Laird 930

Dominion Lands Act Extension Bill—
Second and third readings—Hon. Mr. Laird 931

Government of Manitoba Act—
Second Reading of Amendment Bill—Hon. Mr. Laird 931

Supreme Court Bill—
Resumption of the debate on the motion of Hon. Mr. Fournier that the House go into Committee, and the amendment of Mr. Baby thereto—Mr. Langlois 932

After debate, the House divided, when the amendment of Mr. Baby was declared *resolved* in the negative—28 votes to 113 941

Motion in Amendment—
That the Speaker do not now leave the chair, but that (for reasons set forth) it be resolved that it is not expedient to have a Court of Appellate Jurisdiction in cases involving questions of property, civil rights, and civil procedure—(*Mr. Ouimet*) 942

The amendment, being out of order, was withdrawn, and the original motion agreed to 942

Bill reported, with amendments 944

MONDAY, MARCH 29TH.

Duty on Stave Bolts and Oak Logs Repeal Bill—
First Reading—Hon. Mr. Cartwright 944

Appointment of Harbour Masters—
Second Reading of Bill—Hon. Mr. Smith 944

Quebec Trinity House—
Motion for second reading of Bill—Hon. Mr. Smith 945
Motion agreed to, and Bill referred to Committee 946

Quebec Graving Dock—
Second and third readings of Bill—Hon. Mr. Mackenzie 948

Cape Race Light House—
Second Reading of Bill—Hon. Mr. Smith 948

Masters and Mates of Ships (Inland Waters)—
Second and Third Reading of Bill—Hon. Mr. Smith 948

Esquimalt and Nanaimo Railway—
Motion for second reading of Bill—Hon. Mr. Mackenzie 949

Page

Motion in Amendment—

That the Bill be not now read the second time, but that it be read the second time this day three months.—(*Mr. Wallace, Norfolk*) 960

The House divided, when the amendment was declared *resolved* in the negative —62 votes to 101 961

House then went into Committee on the Bill, which after debate, was reported 966

Motion—That the Bill be read the third time—Hon. Mr. Mackenzie .. 966

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole with instructions to add the following words to the 8th sub-section of the third clause :—" Provided always that any such contract shall have the previous approval of Parliament."—(*Hon. Mr. Tupper*) 966

The House divided, when the amendment was declared *resolved* in the negative —64 votes to 91.. 966

THE LATE SPEAKER—Question of Privilege—Hon. Mr. Tupper 967

Supreme Court—

Bill referred to Committee of the Whole, and reported with amendments—Hon. Mr. Fournier 967

Private Bills—

Third Readings—Respecting the Niagara District Bank ; To Incorporate the Canada Land Investment Guarantee Company ; To Incorporate the Pictou Iron and Coal Company ; To Incorporate a Company to construct a certain portion of the Pacific Railway ; Respecting the International Bridge Company 967

TUESDAY, MARCH 30TH.

Private Bill—

First Reading—To Incorporate the Canadian Timber and Lumber Association —Mr. Wright (Ottawa) 967

Appointment of Harbour Masters Act Amendment—

Third Reading of Bill—Hon. Mr. Smith 968

Supreme Court—

Motion that the Bill be read the third time—Hon. Mr. Fournier 968

Motion in Amendment—

That the Bill be not now read the third time, but that it be read the third time this day six months—(*Mr. White*) 968

The House divided, when the amendment was declared *resolved* in the negative —38 votes to 121 969

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to amend it so as to exclude from the appellate jurisdiction given to the Supreme Court of Canada all cases involving questions relating to property and civil procedure—(*Mr. Ouimet*) 969

Motion in Amendment to the Amendment—

That all the words after "House" be struck out, and the following substituted : To amend the same by striking out all provisions conferring upon the said Supreme Court appellate Jurisdiction in suits arising under Provincial Law, and within the Legislative jurisdiction of the Provinces, so as to make the proposed court a general Court of Appeal for Canada solely—(*Mr. Taschereau*) 969

Page

The House divided, when the amendment to the amendment was declared *resolved* in the negative—40 votes to 118—The amendment being negatived on the same division 970

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, to be amended by adding the following words after the word "Court" in the 18th line of the 4th section of the said Bill :—Two of whom, at least, shall be taken from the Judges of the Superior Court or Court of Queen's Bench, or from amongst the Barristers or Advocates, of the Province of Quebec."—(*Mr. Laflamme*) 970

After debate, the amendment was agreed to, and adopted in Committee .. 973

Motion in Amendment to the main motion—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions so to amend the 7th Section as to provide that the salaries of the Chief Justice and Puisne Judges of the Supreme Court shall be $7,000 per year for such Chief Justice, and $6,000 per year for each Puisne Judge of said Court, instead of $8,000 and $7,000 respectively.—(*Mr. Palmer*) 973

The House divided, when the amendment was declared *resolved* in the negative —49 votes to 99.. 974

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to insert in the Bill, in the 40th Section, the following words :—"No error or appeal shall be brought from any judgment or order of any Court of any of the Provinces, subsequent to the commencement of the said Act, to Her Majesty in Council, but every decree and order of all Courts of final resort within the several Provinces, in respect of any subject-matter or proceeding wherein any appeal now lies from any such Courts to Her Majesty in Council, shall and may be appealed to the Supreme Court.—(*Mr. Irving*) 974

Amendment declared negatived on a division 974

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole for the purpose of inserting a provision that at least one of the Judges shall selected from the bench or bar of British Columbia.—(*Mr. Bunster*).. .. 974

Motion declared negatived on a division 974

Motion in Amendment—

That the Bill be not now read the third time, that it be referred back to Committee of the Whole, to reconsider the 68th and 69th Sections, with instructions to strike out the enactment which provides that issues of fact in cases arising under the 63rd Section of the Bill shall be tried by the Judge without a jury, and to insert a provision for the summoning of jurors by the Sheriff or Coroner, according to the laws of the Province in which the Sheriff and Coroner are officers—(*Mr. Irving*) 975

The House divided, when the amendment was declared *resolved* in the negative —10 votes to 123 976

Motion in Amendment—

That the Bill be referred back to Committee of the Whole, with instructions to insert the following section :—"The judgment of the Supreme Court shall in all cases be final and conclusive, and no error or appeal shall be brought from any judgment or order of the Supreme Court to any Court of Appeal established by the Parliament of Great Britain and Ireland, to which appeals or petitions to Her Majesty in Council may be ordered to be heard, saving any right which Her Majesty may be graciously pleased to exercise as Her Royal Prerogative.—(*Mr. Irving*) 976

The House divided, when the amendment was declared *resolved* in the affirmative —112 votes to 40 980

The Amendment was referred to Committee, where it was agreed to. On the motion for concurrence,

Motion in Amendment, that the clause as amended be not concurred in, which was declared negatived on division—Mr. Mousseau 983

TABLE OF CONTENTS.

Page

On the motion that the Bill be read the third time—

Motion in Amendment, that it be referred back to Committee of the Whole, with instructions to make certain amendments—Mr. Mousseau 983

Amendment declared negatived on division 984

Motion in Amendment—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to amend the 17th Section by substituting $2,000 for $1,000.—(*Mr. Laflamme*) 984

Amendment agreed to, and referred to Committee, where it was concurred in .. 985

Motion in Amendment—

That the Bill be referred back to Committee of the Whole, with instructions to substitute for section 83 the following :—This Act or any part thereof shall take effect and be exercised only at and after such time or times as shall be appointed by proclamation under order of the Governor-in-Council, but no such proclamation shall take place nor be issued in any case unless and until this Act is adopted and approved of by the Legislature of each Province of the Dominion.—(*Mr. Mousseau*) 985

Amendment negatived on division 985

Motion in Amendment—

That the Bill be referred back to Committee of the Whole to be so amended as to confer upon the Supreme Court Appellate Jurisdiction in Admiralty cases.—(*Mr. Mills*) .. 985

Amendment withdrawn 986

Motion—"That the question be now put;" which was withdrawn after short discussion—Mr. Gordon 986

Motion in Amendment to motion for third reading—

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole, with instructions to insert the following provisions :—"This Act or any part thereof shall take effect and be exercised only and after such time or times as shall be appointed by proclamation under order of Governor-in-Council, but in so far as this Act concerns the Province of Quebec no such proclamation shall take effect unless and until this Act is adopted and approved by the Legislature of the Province of Quebec as to the appellate jurisdiction of the Supreme Court in cases relating to property and civil rights and civil procedure in the said Province of Quebec.—(*Mr. Mousseau*) 986

The House divided, when the amendment was declared *resolved* in the negative —20 votes to 106 987

Bill read the third time and passed 987

WELLAND CANAL—Motion that House go into Committee of Supply—Hon. Mr. Cartwright 987

Motion in Amendment—

That the Speaker do not now leave the chair, but that it be resolved that in the opinion of this House it is desirable that steps should be taken to ascertain the feasibility and cost of adapting the Welland Canal to vessels drawing fourteen feet of water before the Government is irrevocably committed to plans involving a less depth—(*Hon. Mr. Holton*) 987

Amendment permitted to be declared lost on a division 989

IN COMMITTEE OF SUPPLY—

NORTH-WEST MOUNTED POLICE 989

PENITENTIARIES OF MANITOBA AND BRITISH COLUMBIA 990

MONTREAL VOLUNTEERS 991

DRILL SHEDS AND RIFLE RANGES 992

BARRACKS AT FORT PELLY 992

MISSIONS TO THE CREE AND BLACKFEET INDIANS 994

INDIAN CLAIMS 995

REIMBURSEMENT OF MR. D. A. SMITH, M. P., for money advanced by him during the Red River Rebellion 996

Page

Motion—That the item be struck out of the Estimates—Mr. Ross (Prince Edward) 996

The Committee divided, when the motion was negatived by 18 votes to 49 .. 1001

WEDNESDAY, MARCH 31ST.

HARBOR MASTER FOR THREE RIVERS—Question, Mr. Barthe ; Answer, Hon. Mr. Smith 1001

JUDGE OF THE COUNTY OF NORFOLK—Question, Mr. Wallace ; Answer, Hon. Mr. Mackenzie 1002

PROHIBITORY LIQUOR LAW—Question, Mr. Wallace ; Answer, Hon. Mr. Mackenzie 1002

RECIPROCITY WITH THE UNITED STATES—Question, Mr. Wallace ; Answer, Hon. Mr. Mackenzie 1002

THE TARIFF—Question, Mr. Wallace ; Answer, Hon. Mr. Mackenzie 1002

SOREL HARBOR MASTER—Question, Mr. Caron ; Answer, Hon. Mr. Smith .. 1002

TERMS OF UNION WITH BRITISH COLUMBIA—Question, Mr. De Cosmos ; Answer, Hon. Mr. Mackenzie 1002

DISALLOWANCE OF PROVINCIAL ACTS—Question, Mr. De Cosmos ; Answer, Hon. Mr. Fournier 1003

HUDSON'S BAY COMPANY'S CLAIMS—Question, Mr. Schultz ; Answer, Hon. Mr. Mackenzie 1003

GEOLOGICAL MUSEUM—Question, Mr. Goudge ; Answer, Hon. Mr. Mackenzie .. 1003

PACIFIC RAILWAY SURVEYS—Question, Mr. Thompson, (Cariboo) ; Answer, Hon. Mr. Mackenzie 1003

REPORTS OF THE PACIFIC RAILWAY SURVEY—Question, Mr. Thompson, (Cariboo) ; Answer, Hon. Mr. Mackenzie 1003

RESPONSIBLE GOVERNMENT—Motion that the House go into Committee of the Whole to consider certain resolutions—Hon. Mr. Blake.. 1003

After debate, the motion was withdrawn 1010

COMMERCIAL RECIPROCITY WITH THE UNITED STATES—Motion for a statement of expenses incurred in furtherance of the recent negotiations—Mr. Plumb .. 1010

PACIFIC RAILWAY TELEGRAPH—Motion for copies of specifications, contracts, and correspondence—Hon. Mr. Tupper 1011

Motion in Amendment—And this House regrets that contracts have been made by the Government for the construction of a line of telegraph from Lake Superior to Cache Creek before the location of the line of the Canadian Pacific Railway has been determined upon—Mr. Bowell 1013

After debate it being six o'clock, the motion was dropped.. 1015

Private Bills—

Third Readings—Respecting L'Assomption River Bridge ; Respecting the Canada Car Company ; To Incorporate the Quebec and Lake Huron Railway Company ; Respecting the Montreal Northern Colonization Railway ; To Incorporate the Dominion Railways Equipment Company ; Respecting the St. Lawrence Steam Company ; Respecting the Huron and Ontario Ship Canal .. 1015

SHORTEST ROUTE TO EUROPE—Dissent from Report of Committee—Mr. Gillmor 1016

Suits against the Crown—

Third Reading of Bill—Mr. Irving 1016

Inspection Bill—

Third Reading—Mr. Forbes 1016

TABLE OF CONTENTS.

Page

Railway Act (1868)—
Amendment Bill—Second Reading of—Mr. Jetté 1016
COMMITTEE OF SUPPLY—
PHILADELPHIA EXHIBITION 1017
TORONTO HARBOR 1020
BAIE DES CHALEURS FISHERIES 1022
INDIAN SCHOOLS 1024

THURSDAY, APRIL 1ST.

Quebec Trinity House—
Third Reading of Bill—Hon. Mr. Smith 1027

Railway Act Amendment—
Motion that the Bill be read the second time—Hon. Mr. Mackenzie 1028
After debate the motion was agreed to and Bill read the second time .. 1029
Referred to Committee of the Whole and reported 1033

North West Territories—
Second Reading of Bill—Hon. Mr. Mackenzie 1033

Cape Race Light House—
Second and third readings of Bill—Hon. Mr. Smith 1035

Coasting Trade Act—
Amendment Bill—Second and third readings of—Hon. Mr. Smith .. 1035

Criminal Law Amendment Act—
Amendment Bill—Second and third readings of—Hon. Mr. Fournier .. 1036

Fisheries Act—
Second and third readings of Bill—Hon. Mr. Smith 1036
CONCURRENCE IN SUPPLY—
MONTREAL VOLUNTEERS 1037
PRINCE EDWARD ISLAND STEAMBOAT SERVICE 1037
TREATY PAYMENTS TO INDIANS 1037
INDEMNITY TO R. S. M. BOUCHETTE 1038
On the motion that the item be concurred in the House divided, when the motion was declared *resolved* in the affirmative—95 votes to 50 1041
INDEMNITY TO MR. D. A. SMITH, M. P.—Motion that the resolution be concurred in 1041
Motion in amendment—
That this item providing for $3,562.50 to be paid to Mr. D. A. Smith, M. P., in settlement of the amount advanced by him on the 6th February 1872—being £600, together with the interest thereon, be not concurred in, the said sum of £600 having been applied to a purpose of which this House cannot approve—(*Mr. White*) 1041
After debate, the House divided, when the amendment was declared *resolved* in the negative—27 votes to 89 1045
Motion for concurrence agreed to 1046
INDEMNITY FOR SERVICES DURING THE NORTH-WEST TROUBLES 1046

Private Bill—
Third Reading—Respecting the Northern Colonization Railway Company .. 1047

TABLE OF CONTENTS.

	Page
OFFICIAL REPORT OF THE DEBATES—Motion for the adoption of the Report of the Printing Committee thereon—Mr. Ross (Middlesex)	1047
Motion agreed to	1048
THE POSTAL SERVICE—Motion for an Address to His Excellency the Governor General—Hon. D. A. Macdonald	1048
Railway Act Amendment Bill—	
Third Reading—Hon. Mr. Mackenzie	1048
North West Bill—	
Third Reading—Hon. Mr. Mackenzie	1049
Supply Bill—	
First Reading—Hon. Mr. Cartwright	1049
Duty on Stave Bolts and Oak Logs Repeal Bill—	
Second and third readings—Hon. Mr. Carwright..	1049
Continuation of Acts Bill—	
Second and third readings—Hon. Mr. Mackenzie	1050
Larceny Act Amendment Bill—	
Second and third readings—Hon. Mr. Fournier	1050
PACIFIC RAILWAY TELEGRAPH—Resumption of the debate on the proposed motion of Mr. Tupper for copies of all specifications and contracts for the construction of a Pacific Railway Telegraph, with all correspondence relating thereto ; and the motion of Mr. Bowell in amendment to the same—Mr. Kirkpatrick ..	1050
Motion in Amendment to the Amendment—	
That the following words be added :—"Contrary to the statute authorizing the construction of the said Telegraph line, and therefore this House does not approve of the said contracts—(*Mr. Kirkpatrick*)	1050
The House divided, when the amendment to the amendment was declared *resolved* in the negative—48 votes to 101	1051
Mr. Bowell's amendment was declared lost on the same division and the original motion agreed to	1051
PROHIBITORY LIQUOR LAW—Motion that the House go into Committee of the Whole to consider resolutions—Mr. Ross (Middlesex)	1051
The House being in Committee, after debate the resolutions were agreed to ..	1059
On the motion that the report be received—Motion in amendment—	
That the report be not now received, but that it be referred back to Committee of the Whole for the purpose of adding the following words :—"That it is the duty of the Government to prepare a measure at as an early a day as possible to carry the principle of Prohibition into effect—(*Mr. Bowell*)	1059
Amendment ruled out of order and report received	1060
THE NORTH-WEST TROUBLES—Question of Privilege—Mr. D. A. Smith ..	1060
After debate, subject dropped	1072
ANNUAL SUBSIDY TO MANITOBA—Question, Mr. Bowell ; Answer, Hon. Mr. Mackenzie	1072
MERCHANT SHIPPING (IMPERIAL PARLIAMENT) BILL—Observations—Hon. Mr. Mitchell	1072
SATURDAY, APRIL 3RD.	
AMENDMENTS TO BILLS BY THE SENATE—Question of order—Mr. Speaker ..	1072

TABLE OF CONTENTS.

Supply Bill—

Second Reading—Hon. Mr. Cartwright 1073

PACIFIC RAILWAY CONTRACTS—Motion—

That the House do now ratify the contracts laid on the table, proposed to be entered into with Messrs. Sifton & Ward, for the construction of that portion of the Pacific Railway between Cross Lake and Red River, about 77 miles in length, at a cost of $402,950, the said parties having been the lowest tenderers willing to proceed with the work, and furnishing the required security, (which motion was agreed to without discussion)—(*Hon. Mr. Mackenzie*) 1073

Also moved—

That the House do ratify the contract laid on the table, proposed to be entered into with Messrs. Sifton & Ward, for the construction of that portion of the Pacific Railway extending from Fort William to Shebandowan, a distance of about 45 miles, at a cost of $406,194, the said parties having been the lowest tenderers willing to proceed with the work, and furnishing the required security—(*Hon. Mr. Mackenzie*) .. 1074

To which it was moved in amendment—

"That the consideration of the approval of the said contracts be postponed to this day three months."—(*Hon. Mr. Tupper*).. 1074

The amendment was declared lost on a division, and the original motion carried 1075

Motion—

That the Government be authorized to enter into a contract during the recess with the parties sending in the lowest available tender for the construction of that portion of the Pacific Railway extending from Rat Portage to Cross Lake, a distance of about 37 miles—(*Hon. Mr. Mackenzie*) 1075

Motion agreed to 1076

NORTH-WEST TROUBLES—Personal Explanation—Mr. D. A. Smith . .. 1076

After discussion, subject dropped 1079

THE PLIMSOLL BILL—Question, Mr. Palmer ; Answer, Hon. Mr. Smith .. 1079

THE MILITIA—Question, Mr. Caron ; Answer, Hon. Mr. Vail 1079

PACIFIC RAILWAY TELEGRAPH—Question, Mr. Schultz ; Answer, Hon. Mr. Mackenzie 1079

SALE OF ORDNANCE LANDS—Question, Mr. Cuthbert ; Answer, Hon. Mr. Laird.. 1079

NATURALIZATION OF ALIENS—Motion, That the House go into Committee of the Whole to consider certain resolutions respecting—Mr. Young 1079

MONDAY, APRIL 5TH.

LOBBYING IN THE SENATE—Question of Privilege—Sir John A. Macdonald .. 1080

PRINTED REPORTS OF DEPARTMENTS 1080

GOVERNMENT LANDS IN THE NORTH-WEST—Question, Mr. Archibald ; Answer, Hon. Mr. Mackenzie 1081

NATURALIZATION OF ALIENS—House in Committee on resolutions—Mr. Young.. 1082

After debate, resolutions adopted, and Address to Her Majesty founded thereon. *Ordered*, that the said Address be engrossed, and an Address presented to His Excellency the Governor General, praying him to lay the Address to Her Majesty at the foot of the Throne 1087

Supply Bill—

Third Reading—Hon. Mr. Cartwright.. 1087

TUESDAY, APRIL 6TH.

WAY OFFICES—Question, Hon. Mr. Tupper ; Answer, Hon. D. A. Macdonald .. 1087

RULES OF THE HOUSE—Sir John A. Macdonald 1088

TABLE OF CONTENTS.

	Page
MANITOBA LANDS—Motion for return (which was not pressed)—Mr. Schultz ..	1088
TRIAL OF LÉPINE—Motion for correspondence and papers connected with—Mr. Schultz.	1088
DUTIES ON TEA—Question, Hon. Mr. Tupper ; Answer, Hon. Mr. Cartwright ..	1088
DUTY ON FISH—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Smith ..	1089
Insolvency Bill—	
Consideration of amendments made thereto by the Senate..	1089
DUTIES ON TEA—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Cartwright ..	1089
THE GASPÉ ELECTION TRIAL—Question, Mr. Taschereau ; Answer, Hon. Mr. Fournier	1089
THE MIRAMICHI BRIDGES—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie	1090
WEDNESDAY, APRIL 7TH.	
ESQUIMAULT AND NANAIMO RAILWAY—Question, Mr. De Cosmos ; Answer, Hon. Mr. Mackenzie	1090
THURSDAY, APRIL 8TH.	
HALF-BREED'S LANDS—Question, Mr. D. A. Smith ; Answer, Hon. Mr. Laird ..	1090
EASTERN TERMINUS OF THE PACIFIC RAILWAY—Question, Mr. Wright (Pontiac); Answer, Hon. Mr. Mackenzie	1091
THE CANADA CENTRAL RAILWAY—Question, Hon. Mr. Tupper ; Answer, Hon. Mr. Mackenzie	1091
Message from His Excellency, by the Usher of the Black Rod, calling the Members to the Bar of the Senate	1091
Bills sanctioned by His Excellency	1091
Speech from the Throne . - - .. - ..	1094
Prorogation of Parliament .. .. - - - -	1095

CANADA.

DEBATES of the HOUSE of COMMONS,

FOR THE

SECOND SESSION OF THE *THIRD PARLIAMENT* OF THE *DOMINION* OF *CANADA*, CALLED FOR THE DESPATCH OF BUSINESS ON THE 4TH DAY OF FEBRUARY, 1875.

HOUSE OF COMMONS,

Thursday, February 4th, 1875.

The Parliament which had been prorogued from the Twenty-fifth of May, 1874, and thence from time to time to the Fourth day of February, 1875, met this day for despatch of business, at 3 o'clock.

A Message from His Excellency the Governor General, by Réné Kimber, Esquire, Gentleman Usher of the Black Rod:—

"Mr. SPEAKER,

"His Excellency the Governor-General commands this Honorable House to attend immediately in the Chamber of the Senate."

Accordingly Mr. SPEAKER, with the House, went up to attend His Excellency, and having returned:—

CERTIFICATES AND REPORTS FROM JUDGES, RELATING TO ELECTIONS.

Mr. SPEAKER acquainted the House that he had received from the Judges selected for the trial of election petitions, pursuant to the Controverted Elections Act, 1873, certificates and reports relating to the elections for the electoral districts of Essex, Lincoln, Cornwall, Renfrew South, Addington, Argenteuil, Renfrew North, Northumberland West, Montreal West, Montreal Centre, Northumberland East, Richmond and Wolfe, Joliette, Norfolk South, Wellington Centre, Leeds and Grenville North, Colchester, Victoria North, Simcoe North, Niagara, L'Assomption, Kingston, Chambly, Toronto East, Halton, Middlesex East, London, Huron South, and Two Mountains; in each of which cases the sitting member was unseated.

Mr. SPEAKER said—In conformity with section 24 of the said Act, I issued my several warrants to the Clerk of the Crown in Chancery, to make out new writs of election for the said elective districts respectively.

Mr. SPEAKER also informed the House that he had received from the Hon. Chief Justice WOOD, one of the Judges selected for the trial of Election petitions, a certificate and report of the Election for the Electoral District of Marquette, and, in conformity with section twenty-four of the Controverted Elections Act 1873, had issued his warrant to the Clerk of the Crown in Chancery, directing him to alter the return for the said District, dated February 17, 1874, by expunging the name of ROBERT CUNNINGHAM therefrom, and substituting that of JOSEPH RYAN as the member duly elected; and the Clerk of the House read a report from the Clerk of the Crown in Chancery, certifying that these instructions had been carried out.

Mr. SPEAKER announced that in the following Controverted Election cases the sitting members had been declared duly elected: Levis, Cumberland, Cardwell, Pictou, L'Islet, and Hants.

Mr. SPEAKER further reported that he had received from the Hon. Mr. Justice WILSON, a certificate and report in reference to the election for the South Riding of the County of Renfrew declaring the same void ; and that he had issued his warrant to the Clerk of the Crown in Chancery to make out a new writ of Election for the said Electoral District.

NOTIFICATIONS OF VACANCIES.

Mr. SPEAKER informed the House that he had received the following notifications of vacancies, which had occurred in the representation, viz : of the Hon. A. A. DORION, member for Napierville, by acceptance of the office of Chief Justice for the Province of Quebec ; of the Hon. F. GEOFFRION, member for Vercheres, by acceptance of the office of Minister of Inland Revenue ; of WILLIAM HARVEY, Esq., member for Elgin East, by decease ; of E. R. OAKES, Esq., member for Digby, by resignation ; and of the Hon. WILLIAM ROSS, member for Victoria, N. S., by acceptance of Collector of Customs at the Port of Halifax. Warrants for new elections in these respective Districts had accordingly been ordered to be issued.

NEW MEMBERS.

Mr. SPEAKER further informed the House that the Clerk of the House had received from the Clerk of the Crown in Chancery certificates of the election and return of the following members, viz. : Hon. F. GEOFFRION, for Vercheres ; SIXTE COUPAL *dit* LA REINE, Esq., for Napierville ; COLIN MACDOUGALL, Esq., for Elgin East ; LOUIS RIEL, Esq., for Provencher ; JOHN L. MACDOUGALL, Esq., for Renfrew South ; A. F. MACDONALD, Esq., for Cornwall ; Hon. W. B. VAIL, for Digby ; WILLIAM MURRAY, Esq., for Renfrew North ; SCHUYLER SHIBLEY, Esq., for Addington ; WILLIAM MCGREGOR, Esq., for Essex ; LEMUEL CUSHING, Jr., Esq., for Argenteuil ; JAMES NORRIS, Esq., for Lincoln ; WILLIAM KERR, Esq., for Northumberland West ; L. F. G. BABY, Esq., for Joliette : Hon. HENRY AYLMER, Jr., for Richmond and Wolfe ; F. MACKENZIE, Esq., for Montreal West ; J. B. PLUMB, Esq., for Niagara ; C. F. FERGUSON, Esq., for Leeds and Grenville North ; THOMAS MCKAY, Esq., for Colchester ; JAMES MACLENNAN, Esq., for Victoria North ; WILLIAM WALLACE, Esq., for Norfolk South ; Right Hon. SIR JOHN A. MACDONALD, K.C.B., for Kingston ; C. J. CAMPBELL, Esq., for Victoria, N.S. ; AMABLE JODOIN, Jr., Esq., for Chambly ; G. T. ORTON, Esq., for Wellington Centre ; H. H. COOK, Esq., for Simcoe North ; BERNARD DEVLIN, Esq., for Montreal Centre ; H. HURTEAU, Esq., for L'Assomption ; SAMUEL PLATT, Esq., for Toronto East, and WILLIAM MCCRANEY, Esq., for Halton.

THE SPEECH FROM THE THRONE.

Mr. SPEAKER reported the House had this day attended His Excellency the GOVERNOR-GENERAL in the Chamber of the Senate, when His Excellency was pleased to make a most gracious speech from the Throne, of which he had, for greater accuracy, obtained a copy, as follows :—

Honorable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I have much satisfaction in meeting you at this early and convenient season.

I have to congratulate you upon the organization of the North West Police Force, and the success of its operations. It has materially aided in the creation of confidence and good will among the Indian tribes ; in the suppression of the liquor traffic ; the establishment of legitimate trade ; the collection of Customs duties ; and, above all, in maintaining security for life and property within the Territory. Another effect of the presence of the Police in the North West has been to enable the Government to largely reduce the strength of the Military establishment in that country.

The negotiation of a friendly Treaty with the Crees and Sauteux of the North West for the cession of territory may be regarded as a further guarantee for the continuation of amicable relations with the Indian tribes of that vast region.

During the past summer I had the pleasure and advantage of visiting a very large portion of the Province of Ontario, including the whole coast of Georgian Bay and Lake Superior. This official tour enabled me to form a better idea of the great extent of the comparatively well-settled country and of that which is still almost wholly undeveloped. I was everywhere received with the kindest welcome, and was much gratified in witnessing the enterprise, contentment, and loyalty manifested in every quarter.

Your attention will be invited to a measure for the creation of a Supreme Court. The necessity for such a measure has yearly become more and more apparent since the organization of the Dominion; it is essential to our system of jurisprudence and to the settlement of constitutional questions.

You will also be invited to consider a Bill relating to the important subject of Insolvency.

Measures will be submitted to you, providing for the reorganization of the Government of the North West, and the consolidation of the laws relating to that country; for a general Insurance law; and on the subject of Copyright.

Gratifying progress has been made in the survey of the Canada Pacific Railway route. Measures have been taken to secure the early construction of the Georgian Bay branch, and to provide a connection with the eastern railway system. The report of the surveys of the road from Lake Superior to Fort Garry, which will be ready in a few days, will afford information upon which tenders may be invited for the construction of the eastern and western portions of that section, so as to reach the navigable waters of the interior.

Gentlemen of the House of Commons:

The accounts of the past year will be laid before you. The estimates for the present financial year will also be submitted; they will, I believe, be found to have been framed with every regard to economy, consistent with efficiency in the public service.

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I am happy to believe that notwithstanding the general and wide-spread commercial depression which has prevailed over the continent, the trade of Canada is sound, and that the contraction we have experienced in some branches of industry for the past year has not been greater than might naturally have been anticipated.

Papers will be submitted to you on the North West troubles, and in reference to the negociations between the Dominion Government and the Government of British Columbia on the subject of the Pacific Railway.

Steps have been taken during the recess for a combination of effort on the part of the several Provinces and the Dominion, to promote immigration from Europe under the general direction of the Dominion officials. It is hoped that the effect will be increased efficiency and economy in this branch of the public service.

Mr. Speaker,

I rely with confidence on your prudence and ability, and on your patriotic devotion to the great public interests entrusted to you; and I pray that the Divine blessing may rest upon your labors.

On motion of Hon. Mr. MACKENZIE, it was resolved that the Speech of His Excellency be taken into consideration tomorrow.

PRINTING OF VOTES AND PROCEEDINGS.

On motion of Hon. Mr. MACKENZIE, it was resolved that the Votes and Proceedings of the House be printed, being first perused by Mr. SPEAKER, and that he do appoint the printing thereof; and that no person but such as he shall appoint do presume to print the same.

SELECT STANDING COMMITTEES.

On motion of Hon. Mr. MACKENZIE, it was resolved that Select Standing Committees of this House for the present Session be appointed for the following purposes:—

1. On Privileges and Elections. 2. On Expiring Laws. 3. On Railways, Canals and Telegraph lines. 4. On Miscellaneous Private Bills. 5. On Standing Orders. 6. On Printing. 7. On Public Accounts. 8. On Banking and Commerce. 9. On Immigration and Colonization,—which said Committees shall severally be empowered to examine and inquire into all such matters and things as may be referred to them by the House; and to report from time to time their observations and opinions thereon, with power to send for persons, papers and records.

OATHS OF OFFICE.

Hon. Mr. MACKENZIE introduced a Bill respecting the administration of oaths of office. Read a first time.

CONTESTED RETURNS AND CORRUPT PRACTICES.

On motion of Hon. Mr. MACKENZIE it was resolved,

1. That if anything shall come in question touching the return or election of any member, he is to withdraw during the time the matter is in debate, and all members returned upon double returns are to withdraw until their returns are determined.

2. That if it shall appear that any person hath been elected or returned a member of this House, or hath endeavored so to be by bribery or any other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices.

3. That the offer of any money or other advantage to any member of the House of Commons for the promoting of any matter whatsoever depending, or to be transacted in the Parliament of the Dominion of Canada, is a high crime and misdemeanour and tends to the subversion of the Constitution.

REPORT ON PUBLIC WORKS.

Hon. Mr. MACKENZIE presented the report of the Minister of Public Works.

THE PARLIAMENTARY LIBRARY.

Mr. SPEAKER presented the report of the Librarian on the state of the Library of Parliament.

On motion of Hon. Mr. MACKENZIE, the House adjourned, at 4.20 p.m.

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HOUSE OF COMMONS.

Friday, February 5th, 1875.

The SPEAKER took the chair at three o'clock.

THE HANSARD REPORTS.

Hon. Mr. MACKENZIE said, as the House was aware, arrangements were made during last session for reporting the debates of the House, and it was proposed in the report of the Committee which had the matter in charge, that another Standing Committee should be appointed to revise and manage the reporting. It had now become necessary to take immediate action in reference to the form of printing and other matters of detail, that he need scarcely enumerate to the House, and he was himself convinced that the business would be better managed by a Standing Committee than by a Special Committee. He, therefore, moved that the management of the Hansard reports be entrusted to the Joint Committee on Printing, and until the Committee was organized, the Chairman add Clerk of the Committee during last session be authorized to act.

Sir JOHN A. MACDONALD desired, while the present motion was before the House, to call attention to the position occupied by the reporters, especially those on the Hansard. He was afraid the members of the Opposition would suffer by existing arrangements, and if they could do nothing by their votes they could do something by their voices. It had been suggested that some arrangements should be made for the construction of a separate gallery for the reporters for the Hansard somewhere near the Bar, where they would be able to hear the speaking and make the permanent report, to be quoted hereafter historically and for all Parliamentary purposes, without their being mixed up with reporters who were in the gallery for another useful, but very different purpose. He hoped the leader of the Government would endeavor, if possible, to have another Reporters' Gallery constructed as near the Bar as possible or have the Hansard reporters placed on the floor of the House, so that the reports might be well, fully and accurately taken.

Hon. Mr. MACKENZIE said there could be no objection to any arrangement proposed in that regard, especially as the leader of the Opposition had intimated that he intended to confine himself to speaking and not voting. The proposition to have a gallery placed over the door was one that he thought could scarcely be entertained without disfiguring the internal appearance of the House, and in any case it was impossible to erect any such gallery within two or three weeks, which would be at all creditable. The suggestion for the erection of an additional gallery was made a few days before the meeting of the House, but he had no hesitation in condemning the proposed arrangement as one utterly untenable. It would have involved the exclusion of the present occupants from the Speaker's gallery, and besides it would have been impossible to have obtained architectural consistency. Personally, he had no objection to reporters having access to the floor of the House, but, although no formal vote was taken, a similar proposal was decided adverseby on a former occasion. If the House was now of opinion that a table might be placed on the floor of the Chamber, and the reporters brought in, he, personally, had no objection to it. Any expressions of opinion by members on the matter would be very welcome. He had requested the Sergeant-at-Arms in the

meantime to have at least two seats on each side of the gallery to be reserved for the official reporters, or as many seats as they should require, the remainder of the seats to be placed at the disposal of the leading daily papers. That was the temporary arrangement made, but if it was thought better to have the official reporters placed on the floor of the House, he would acquiesce in the arrangement.

Mr. JAMES YOUNG said he agreed with the view expressed that the erection of another gallery would not contribute to the appearance of the Chamber. At the same time, it was well known that it was exceedingly difficult for reporters to hear the debates in the present gallery. It was highly important that there should be more accommodation provided, not only in the interest of those who were going to take part in reporting for the Hansard, but also for the representatives of the daily press, who were very much crowded under the present arrangement. He was, moreover, convinced that in the present gallery the reporters for the Hansard would not be able to do as much justice to the debates as they would be able to do if placed in a different position. He saw no objection to lengthening the Clerk's table four feet and having the Hansard reporters seated there. That was the course pursued at Washington, and he understood that no practical difficulty arose from the reporters passing in and out from the Chamber every half hour. If that plan were adopted here, it would not practically inconvenience the House, while it would afford the reporters a better chance to make the Hansard a creditable report, and give sufficient room in the present gallery for the representatives of the daily press, throughout the country.

Mr. CAUCHON suggested that a semi-circular table be placed on the floor of the House for the accommodation of the Hansard reporters.

Sir JOHN A. MACDONALD said it was an established rule that no one should be on the floor of the House except officers of the House; but he had no objection to a table being placed there for the accommodation of the Hansard reporters, until some other arrangement of a permanent character could be carried out, when the table could be withdrawn.

Hon. Mr. MACKENZIE said he thought the expression of opinion was at present favorable to the introduction of the Hansard reporters on the floor of the House, and at all events it could be tried as an experiment, and he would see before Monday that the necessary arrangements were made.

The motion was adopted.

REPORT OF INTERNAL REVENUE.

Hon. Mr. GEOFFRION presented the report of the Minister of Internal Revenue.

THE ADDRESS.

In rising to move the Address, Mr. FRECHETTE said—Pour la première fois que j'ai l'honneur de prendre la parole devant cette Honorable Chambre, l'on me permettra sans doute de le faire dans ma langue maternelle. Il est assez rare que nous entendions une voix française s'élever dans cette assemblée, la nécessité, forçant presque toujours mes compatriotes de même origine que moi à parler un language qui n'est pas le nôtre, pour mieux être compris de tout le monde. Cependant le droit que avons de parler ici la langue de nos ancêtres est un privilége trop sacré, pour qu'il ne soit pas opportun pour nous de l'affirmer quelquefois. Au reste, si notre langue peut être considérée comme l'une des plus belles parts de l'héritage que nous ont laissé ceux qui nous ont précédés, le droit que nous avons d'en faire usage dans cette enceinte parlementaire fait autant d'honneur à l'esprit de libéralisme de ceux qui nous l'ont maintenu, qu'à l'énergie et au patriotisme de ceux qui nous l'ont conquis, (app.)

C'est avec un vif plaisir, M. l'ORATEUR, que j'ai accepté l'invitation qui m'a été faite de proposer l'adresse à Son Excellence en réponse au Discours du Trône. En me rendant à cette invitation, je trouve l'occasion d'affirmer une fois de plus, et plus solennellement que jamais, la confiance que j'ai depuis longtemps fait reposer dans les hommes qui dirigent en ce moment les destinées du pays, et je la saisis avec empressement. Depuis quelques mois seulement qu'ils ont en mains les rênes de l'administration, les ministres actuels ont déjà accompli les principales réformes qu'ils avaient si longtemps préconisées lorsqu'ils occupaient les banquettes de l'Opposition. (appl.)

Le terrain des réformes est un terrain scabreux, M. l'ORATEUR; et il est toujours dangereux de s'y aventurer imprudemment; voilà pourquoi l'on a si souvent vu-

des ministres répudier, une fois au pouvoir, ce qu'ils avaient prêché dans l'Opposition : brûler ce qu'ils avaient adoré et adoré ce qu'ils avaient brûlé.

Il n'en a pas été de même des ministres actuels, M. l'ORATEUR. Ils avaient à peine pris place aux bancs du trésor, qu'ils ont mis les principaux articles de leur programme à exécution. Ils n'ont pas craint de l'aborder hardiment ce terrain scabreux des réformes. Forts de leurs convictions, et appuyés comme jamais administration ne l'a encore été, en ce pays, par l'opinion publique, ils ont courageusement mis la main à l'œuvre. Ils sont entrés, pour ainsi dire, la hache à la main dans la forêt des abus, et aujourd'hui il n'est qu'une voix, je puis le dire, parmi tous les véritables amis de l'ordre public, pour les féliciter du succès constant qui s'attache à leurs efforts. (Appl). Admirable souplesse de notre constitution qui se prête à tous les progrés suggérés par l'expérience, et qui rend si faciles toutes les révolutions pacifiques nécessitées par les conquêtes de l'esprit humain !

Mais, M. l'ORATEUR, quels que soient le nombre et l'importance des réformes opérées jusqu'ici, notre législation n'est pas encore parfaite. De graves questions d'intérêt public sont encore la qui demandent une solution prochaine, et il nous reste encore à mettre en opération l'un des rouages les plus considérables de notre organisation judiciaire. L'esprit public attend avec impatience ce complément ou plutôt ce couronnement de la politique inaugurée par la présente administration. Ce ne sont plus des attermoiments ni des subterfuges qu'il nous faut. La politique d'expédients a fait son temps. Or nos ministres ont compris ce que l'on attendait d'eux ; et c'est avec la plus vive satisfaction que le public a dû lire, dans le discours prononcé hier par Son Excellence, l'exposé si clair et si précis des mesures que le gouvernement a l'intention de soumettre aux Chambres pendant la présente session, et de la ligne de conduite sage et progressive qu'il entend suivre jusqu'à la session prochaine.

Cet exposé, M. l'ORATEUR, même si l'on en retranche ce qui a rapport aux mesures si désirables qu'il nous annonce, respire tant de franchise, tant de droiture d'intention, et un si sincère désir de donner satisfaction à l'opinion publique, que le peuple de ce pays ne peut manquer d'en faire con-

traster la tournure si nette et si claire avec la forme louche et tortueuse qu'assument souvent les documents de ce genre, même dans les pays les mieux gouvernés, et d'en donner crédit à nos administrateurs. Le pays attendait beaucoup : on lui promet beaucoup. Et cela, sans ambages, sans échappatoires, sans faux-fuyants ; avec cette même honnêteté qui a présidé jusqu'ici à l'administration des affaires publiques, depuis l'avénement du parti de la Réforme.

Les principales mesures sur lesquelles Son Excellence attire l'attention des deux branches de notre législature sont la création de la Cour Suprême, une loi de faillite, la réorganisation du gouvernement du Nord-Ouest, la consolidation des lois de ce territoire, une loi générale d'assurance, et une autre pour la protection des droits d'auteurs.

La plus importante de toutes ces mesures est, sans contredit, la création de cette Cour Suprême que l'on nous promet depuis si longtemps. Le besoin d'un haut tribunal prononçant en dernier ressort sur toutes les contestations judiciaires, et auquel les questions constitutionnelles pourront être soumises, se fait sentir depuis bien des années, et même dès avant l'établissement de notre système politique actuel. Le droit d'appel au Conseil Privé de Sa Majesté n'a pas donné toute la satisfaction qu'il nous laissait d'abord entrevoir. A part l'inconvénient qu'il avait d'entrainer les plaideurs dans des frais et des retards considérables, il avait en outre celui bien autrement grave de subordonner l'action de nos tribunaux à une Cour de Justice certainement inférieure à eux sous bien des rapports. Loin de moi, M. l'ORATEUR, l'intention de révoquer en doute le savoir ou l'impartialité des Honorables Conseillers Privés de Sa Majesté ; mais une chose ne peut faire de doute pour personne, c'est que les juges de notre pays doivent nécessairement être plus compétents pour prononcer sur nos intérêts en litige, que des juges plus ou moins étrangers à nos lois, à nos mœurs et à nos coutumes, quelles que soient leur science et leur bonne volonté. De sorte que, M. l'ORATEUR, quand même l'établissement d'une Cour Suprême ne serait point absolument nécessaire aux intérêts généraux du pays, comme tribunal constitutionnel, les intérêts particuliers le demandent d'une manière pressante. Ce sera le couronnement de notre édifice

judiciaire. La nation canadienne a laissée tomber ses langes ; à peine sent-elle la lisière que tient encore en mains la mère-patrie ; donnons à ses institutions tout le perfectionnement et tout le développement possible, si nous voulons qu'elle soit prête, lorsque l'heure de la virilité sonnera pour elle. (Appl.)

Quand à la loi de faillite, je n'en dirai rien. Son utilité est constatée par tous ; et cette Honorable Chambre se rappelle sans doute encore les judicieuses remarques que faisait à ce sujet l'Honorable député de Toronto-Ouest, à pareille époque et en pareille circonstance, l'année dernière. Les événements ont retardé jusqu'ici l'adoption de cette importante mesure : espérons que ce retard n'aura servi qu'à la rendre plus parfaite, et que la présente session n'apportera aucun obstacle à son adoption finale.

On ne peut pas s'attendre, M. l'ORATEUR, à ce que j'entre dans les détails des différentes mesures auxquelles il est fait allusion dans le Discours du Trône. Je me contenterai d'en constater l'importance, et de féliciter le gouvernement d'en avoir compris toute l'opportunité, et de ne pas avoir reculé devant la tâche. Un mot seulement de la loi qu'on nous annonce relativement à la protection des droits d'auteurs. La carrière littéraire est encore fort restreinte dans notre pays, M. l'ORATEUR ; mais si petit que soit le nombre de nos écrivains, ils ont droit à la protection des lois. Les travaux de l'esprit ont leur noblesse et leur poids, et les fruits de l'intelligence sont une propriété aussi sacrée que tout autre, et qui a le droit d'être respectée et protégée comme tout autre.

Au nom des lettres donc ; au nom de tous ceux qui vivent de leur plume, ou qui, par amour de l'art, se livrent au noble travail de la pensée, je remercie le gouvernement de l'initiative qu'il prend aujourd'hui sur cette question.

Nous devons aussi féliciter le gouvernement sur la politique large et généreuse qu'il a suivie jusqu'ici dans l'administration des affaires publiques en général. Aucun interêt n'a été négligé. Les grandes entreprises publiques ont reçu une impulsion d'autant plus sûre et d'autant plus durable, qu'elle est sagement proportionnée aux besoins et aux ressources du pays.

L'immigration a reçu aussi toute l'attention qu'elle mérite. De concerts avec les gouvernments locaux des différentes provinces de la confédération, le gouvernement fédéral a pris des mesures pour donner le plus de développement possible à cette importante branche de notre administration. Non seulement on s'est occupé d'attirer sur nos bords le trop plein des populations européennes ; mais, ce qui est beaucoup plus important encore, on s'est attaché tout particulièrement à trouver les moyens de retenir chez nous ces nombreux émigrants qui, chaque année, passent la frontière en si grand nombre, pour aller demander du pain à la république voisine. Bien plus, M. l'ORATEUR, je constate avec plaisir que nous ne sommes plus au temps où nos frères émigrés aux Etats-Unis étaient considérés comme une population abâtardie et indigne de tout intérêt ; au temps où l'un de nos hommes d'Etat pouvait s'écrier impunément dans cette même enceinte parlementaire : " Ils s'en vont, tant mieux : cela fera de la place pour d'autres ! " Le gouvernement d'aujourd'hui a énergiquement répudié cette malheureuse parole, M. l'ORATEUR ; (App.) et les mesures qu'il prend aujourd'hui nous font espérer qu'il viendra un jour où tous les enfants du sol aujourd'hui dispersés ça et là dans l'Union Américaine ; où toute la grande famille canadienne se trouvera réunie de nouveau sous un même drapeau national pour travailler d'un commun accord au bonheur de la patrie commune. (App.) C'est le but patriotique où tendent les efforts de nos administrateurs. Qu'ils persistent dans la voie où ils sont entrés ; et ce but, ils l'atteindront, en s'assurant pour jamais la reconnaissance de tout un peuple que les circonstances on forcé d'aller vivre en exil.

Un autre bon point en faveur du gouvernement, c'est le zèle plein de philanthropie qu'ils ont déployé dans l'administration des affaires du Nord-Ouest,

Le mal était pressant, M. l'ORATEUR. Dans ces immenses territoires où la civilisation a à peine pénétré, les meurtres et le brigandage régnaient sans contrainte, depuis quelques années surtout. Le traffic de l'alcohol était devenu une plaie terrible parmi les Indiens, et les assassinats se multipliaient par centaines, malgré les efforts incessants des missionnaires de toutes les croyances.

Aujourd'hui les choses sont changées. Des corps de police ont été envoyés jusqu'au pied des montagnes rocheuses ; et pendant que ces troupes maintiennent l'ordre

et la paix parmi les tribus sauvages, protégent les missionnaires, répriment la contrebande, défendent la vie et la propriété des colons, des magistrats sont là pour mettre à exécution les lois du pays, et pour punir les prévaricateurs. Instruits de ces intentions pacifiques, les Indiens ont reçu nos envoyés de la manière la plus cordiale ; et nous pouvons constater aujourd'hui avec bonheur que le territoire du Nord Ouest jusqu'à présent plus ou moins voué au brigandage et à l'anarchie entre en pleine voie de civilisation, surtout depuis la signature du traité du Lac Qu'Appelle auquel Son Excellence a fait allusion dans le Discours du Trône, et qui met sous le contrôle direct du gouvernment un territoire de 75,000 milles quarrés.

Voilà, M. l'ORATEUR, où conduit une politique sage et honnête, une politique qui met les intérêts généraux du pays au-dessus des intérêts du parti et des ambitions personnelles des gouvernants.

Il est une question, M. l'ORATEUR, à laquelle je ne puis me dispenser de toucher avant de terminer les quelques remarques que j'ai l'honneur de faire à cette Honorable Chambre, question qui, depuis quelque temps sutout, a eu le privilége d'intéresser à un haut dégré l'opinion publique. Je veux parler des troubles de Manitoba et des graves conséquences qu'ils ont entraînées.

Cette question, M. l'ORATEUR, et des plus délicates, en ce sens qu'elle est généralement envisagée à des points de vue diametralement opposés par certaines portions condérables de notre population. Les esprits se sont passionnés de part et d'autres : on a fait des appels imprudents aux préjugés nationaux et religieux, sans autre résultat que celui de rendre la solution du problème de plus en plus difficile.

Son Excellence nous annonce dans le Discours du Trône que des documents relatifs à cette question vont prochainement être soumis à cette Honorable Chambre. Ces documents sont-ils de nature à compliquer la question ou à hâter sa solution, nous n'en savons rien. Espérons néanmoins que le pays saura bientôt à quoi s'en tenir, et que les hommes modérés de tous les partis réussiront à s'entendre de façon à maintenir la paix, l'harmonie et la bonne entente parmi les divers éléments qui composent notre population, (App.) Les idées de conciliation prévaudront, j'en suis sûr ; et bientôt, je l'espère, des bords du Pacifique jusqu'aux Provinces du golfe, l'esprit de concorde et d'union règnera sans partage. Nous ne serons plus des Français, des Anglais, des Ecossais ou des Irlandais, nous serons des Canadiens. Nous ne formerons plus qu'une seule et grande nation au patriotisme vivace et aux nobles aspirations, travaillant comme un seul homme à la prospérité commune, et marchant d'un même pas vers un avenir plein de grandeur et de fécondité.

Notre pays grandit et progresse rapidement. Comme l'a dit, hier, Son Excellence, notre commerce ne s'est aucunement ressenti de la terrible crise financière par laquelle viennent de passer nos voisins qui avaient jusqu'ici étonné le monde par leur prodigieuse prospérité. Sachons être à la hauteur des circonstances ; montrons-nous les dignes enfants d'un pays si plein de ressources et de promesses ; et ne laissons pas germer chez nous ces divisions intestinés qui sont le caractère distinctif des peuples en décadence ?

J'ai donc l'honneur M. l'ORATEUR de proposer l'adresse qui est maintenant devant cette Chambre.

Mr. FRECHETTE concluded by moving the following resolutions :—

1. That an humble Address be presented to His Excellency the Governor-General, to thank His Excellency for his gracious Speech at the opening of the present Session ; and further to assure His Excellency,—

2. That we are grateful to His Excellency for having convoked Parliament at this early and convenient season.

3. That we rejoice to learn that the organization of the North-West Police Force has materially aided in the creation of confidence and good will among the Indian tribes; in the suppression of the liquor traffic ; the establishment of legitimate trade ; the Collection of Customs duties ; in maintaining security for life and property within the Territory ; and which has enabled the Government to largely reduce the strength of the Military establishment in the North-West.

4. That we regard the negotiation of a friendly Treaty with the Crees and Saueteux of the North-West for the cession of the territory as a further guarantee for the continuation of amicable relations with the Indian tribes of that vast region.

5. That we learn with much satisfaction that during the past summer His Excellency had the pleasure and advantage of visiting a very large portion of the Province of Ontario, including the whole coast of the Georgian Bay and Lake Superior ; that this official tour enabled His Excellency to form a better idea of the great extent of the comparatively well-settled country, and of that which is still almost wholly undeveloped ; and that His Excellency was everywhere received with the kindest welcome, and was much

gratified in witnessing the enterprise, contentment, and loyalty manifested in every quarter.

6. That we are gratified by the announcement that our attention will be invited to a measure for the creation of a Supreme Court; the necessity for such a measure having yearly become more and more apparent since the organization of the Dominion; it being essential to our system of jurisprudence and to the settlement of constitutional questions.

7. That we are glad to be informed that we shall be invited to consider a bill relating to the important subject of Insolvency.

8. That our best attention will be given to any measures which may be submitted to us providing for the reorganization of the government of the North-West and the consolidation of the laws relating to that country; for a general Insurance law; and on the subject of Copyright.

9. That it is gratifying to be informed that considerable progress has been made in the survey of the Canada Pacific Railway route, and that measures have been taken to secure the early construction of the Georgian Bay branch, and to provide a connection with the eastern railway system; and we feel satisfaction in learning that the report of the surveys of the road from Lake Superior to Fort Garry, which will be ready in a few days, will afford information upon which tenders may be invited for the construction of the eastern and western portions of that section, so as to reach the navigable waters of the interior.

10. That we thank His Excellency for the assurance that the accounts of the past year, and the estimates for the present financial year, will be laid before us, and that the estimates have been framed with every regard to economy, consistent with efficiency in the public service.

11. That we are gratified in sharing His Excellency's belief that notwithstanding the general and wide-spread commercial depression which has prevailed over the continent, the trade of Canada is sound, and that the contraction we have experienced in some branches of industry for the past year has not been greater than might naturally have been anticipated.

12. That we shall be glad to receive the papers to be submitted to us concerning the North-West troubles, and the negotiations between the Dominion Government and the Government of British Columbia on the subject of the Pacific Railway.

13. That we learn with satisfaction that steps have been taken during the recess for a combination of efforts on the part of the several Provinces and the Dominion, to promote immigration from Europe under the general direction of the Dominion officials, and we share in the hope that the effect will be increased efficiency and economy in this branch of the public service.

14. That we assure His Excellency that our best endeavors will be used to justify His Excellency's expression of confidence in our prudence and ability, and in our patriotic devotion to the great public interests confided to us; and we join with His Excellency in the prayer that the Divine blessing may rest upon our labors.

Mr. COLIN McDOUGALL, in seconding the address, craved the indulgence of the House, while, for a few minutes, he directed their attention to the topics adverted to in the Speech from the Throne, more especially as he was in the somewhat embarrassing position of being called on to address the House for the first time. The Address noticed in the first place the convenient season of the year at which Parliament was summoned, and he believed it would not be disputed that the present was a time when members generally could most conveniently leave their private business. Not that he wished it to be understood that they were unmindful of the obligations that rested upon them as public men, or that they should not be ready at all times when called upon to discharge those public duties which devolved upon them; still it was more convenient for them to leave their private duties at some seasons of the year than others, and it was a matter of satisfaction that the Government had selected the present period for calling Parliament together. It must be a source of gratification to the people of this country—he believed he could speak with a considerable degree of assurance on that point—to know that the organization of the North-west police had had the excellent effect of suppressing the ruinous traffic in intoxicating drinks among the Indians—a traffic that was not only ruinous to the red man, but to a large portion of the human race. That our police in the North-west—a detachment of our army, so to speak—had been so successful in suppressing this traffic and in reducing disorder to order was a matter of which the whole country might well be proud. In connection with this subject it was also gratifying to notice that the negotiations of a treaty with the Indians of our North-west had been so happily consummated. It would enable us to invite immigration to that extensive country, and to give assurance to intending settlers there that they would not be subject to any disturbance from the Indians but that the most cordial good feeling existed between them and their white brethren. The Address next referred to the prospect of a measure being introduced for the establishment of a Supreme Court. That was a subject which had engaged the attention of the House on previous occasions, and no one could doubt its vast importance. Laws were a dead letter unless there were courts to give effect to them, and, in his humble judgment, such a

court as the one proposed was much needed in a country under a constitution like ours. Our Federal and Local Legislatures had separate and distinct functions and jurisdictions, and it was necessary to have a Supreme Court to define the limits of the respective jurisdictions, so that on the one hand the rights of this Parliament might not be invaded, and on the other the rights of the Local Legislatures might be respected. Another subject that the attention of the House was directed to in the Address was one that was surrounded with a very great deal of difficulty. He referred to the subject of insolvency. In his opinion some bankrupt law was absolutely necessary in this country. The measure that had been in force for a number of years was by no means perfect, nor could anything else be expected, seeing that it was only by experience of the working of a measure like this, involving so many practical details, that a satisfactory measure could be framed. Profiting by the experience of the past, he had no doubt that the present law could be amended to the great advantage of the whole community. No one could dispute the proposition that an insolvent law should, if possible, protect the honest trader who falls under misfortunes, by circumstances beyond his control, and should allow him the opportunity of making a fresh start, unencumbered with previous obligations; but, on the other hand, the law should be so framed as not to afford protection to the dishonest trader. On the contrary the trader who dishonourably attempted to get rid of his obligations by going into insolvency should be subject to punishment. The present law, in his opinion, was more expensive than there was any occasion for, and he believed, in the light of past experience, a cheaper mode of dealing with insolvent estates might be devised. Another topic to which their attention was directed was that of the Canada Pacific Railway. It was a very great enterprise, and probably would not for many years be a commercial success, though it was to be hoped it would ultimately become so, but it was a national enterprise calculated to bind the people of this whole Dominion together, and make them feel that they were one people. He was glad to know that this great undertaking was being prosecuted with vigor by the present administration, and he hoped that they would receive a liberal and generous support from this House in this important work, so long as they carried it on consistently with the interests and resources of the country. This great enterprise would be the means of still better opening up of the great North-west country that is going to make us a great nation. A vast country was there open for settlement, and no better means for settling it, no better means for developing its resources could be devised than the construction of this road. It would enable us to throw emigration into the North-West, and while we were doing so, and settling it up, we were creating business for the country, and thereby increasing the general welfare of the Dominion. The binding together of this great Confederation by that iron band would not only have the effect of bringing us together more closely, so far as distance was concerned, but it would have the effect of bringing us together socially. It was his desire to see this country prosper, to see it a great country, not to see any question of sectionalism arise, but that harmony should prevail to make us all feel that we had an interest in the prosperity of our land, and in the promotion of the welfare of our people. In the carrying on of any great enterprise, no matter whether it happens to be in the Province to which we belong, or is situated in another province, the settlement of our Great West should be in our hearts, and should give us a national feeling and make us proud of the country in which we live—the country which is ours—that we may be more closely bound together, and feel that we have a destiny which will make us one of the greatest countries in the world while it belongs to the British Empire, of which it is one of the greatest dependencies. He was sure all would agree with him that no event had occurred in many years that had given as much satisfaction as the visit of His Excellency the GOVERNOR GENERAL. While we have had the pleasure of seeing and hearing him; while we have had the pleasure of paying our respects to him as the representative of HER MAJESTY we, at the same time, had the pleasure of listening to his eloquence; of seeing evidences of his great learning; of seeing manifestations of his great ability, and, at the same time, we have had the pleasure in this country of showing to him that although

we are many miles distant from our parent land, although many of us have not had the privilege of seeing the land of our fathers, yet that our hearts beat right loyally to the British Crown; that we have an attachment to the land of our fathers; and he (Mr. McDOUGALL), as a Canadian, was proud of having had the opportunity of paying his respects, of showing his allegiance to the representative of HER MAJESTY, and of showing to him at the same time the deep attachment we have for British institutions, and the loyal and lasting devotion that we have to the British Crown. His Excellency has likewise had an opportunity of seeing the working of our institutions —institutions that were created by our Canadian statesmen, he was proud to say. He has had the opportunity of seeing the working of our Municipal institutions, the opportunity—to a limited extent probably —but still an opportunity of seeing the working of our educational institutions. These were all the creatures, so to speak, of Canadian Statesmanship, and the evidence he then received, and that he has no doubt borne home to England, will have the effect of impressing the Mother Country with a strong belief that the newer Britain is not unworthy of the parent stem from which it has sprung. Another question, which was one that a new country like ours is worthy of the most serious consideration, is immigration. He was glad to know that this Government had taken a very active part in this direction, and that they had done, were still doing, and promised to do all that they possibly could towards bringing into this country a healthy immigration. He wished to see people of every clime and country, come to us and see our country filled up, and when they did come here, he wished them to feel that they had a home among us, that there shall be no discrimination as to creed or nationality, that they will find here equal rights for all, to feel that they are Canadians, to feel that when they are here they will become citizens of the country and part of its people. After all what is a country made of? It is made of people. If we have no people we have no country, and to make a country we must have people; we must have people to come here. We have people now, no doubt, but we must throw open the doors and say to the nations of the world come to us, here is a country in which you may make a home. We ask them to come here not as strangers or sojourners in the land, but to become citizens of the Dominion and to help us build up a great nationality. Now, with regard to the difficulty in the relations between the Dominion and British Columbia, he was glad to see they were happily dissipated, and he had no doubt that the administration of the day would do what they possibly could —and had done so—to satisfy the people of that remote Province, that we, in the most central part are willing and anxious to aid and assist them in every possible way to give them such facilities as they require for attaining a way to the Atlantic seaboard. The question of the North-West troubles was one that was surrounded by no small difficulties. It was one that he did not propose at this time to discuss at any great length, but he hoped a solution would be found. He had no doubt that the good nature, good judgment and liberality of this House would enable us to work out such a solution as would not be derogatory to us as a people; that while there would be a vindication of the law, still, at the same time, there would be such a course adopted, as would give general satisfaction to all, and that would secure permanent peace hereafter, and that would have the effect, in the course of time, of stopping any ill-feeling, or any of those disturbing causes that sometimes distract and rend in pieces a nation. Before sitting down he would take the liberty of congratulating the hon. gentlemen on the treasury benches on the popularity of their administration as evidenced by the elections during the recent recess. He believed that with very few exceptions indeed—and there had been a good many elections during the recess—the administration had been sustained. In some cases, it was true, opponents of the Administration had been elected. Some, under the Controverted Elections Act, had to go before their constituents again, and though some, who were opponents of the Government were able to get back again, yet they had been returned with their respective majorities very much reduced. It must be a matter of congratulation to the members of the Administration to know that while their policy had been before the country, and every opportunity had been afforded the people to criticise and discuss it, that appeal after appeal to the

constituencies that were vacant had been successful with so very few exceptions, and this should be an encouragement to them to persevere in well doing. Notwithstanding the fact that they had the confidence of the country and the hearty support of the people, they were, at the same time, notified that they must be ever vigilant in discharging their duties—that they were custodians of the people's interests, and that if they would retain the confidence of the people they must continue to be the exponents of their views. They must remember that so soon as they forfeit that confidence, it would be withdrawn from them. And he thought under our system of free institutions it was well the voice of the people should be so strongly felt. It had a healthy effect on the members of the House and on the proper working of our institutions. He was glad to notice that the financial affairs of the country had been administered in an economical way. The finances of the country were matters of the very first importance to the people, and if the money had been well expended, and the liabilities not unnecessarily increased, the people were always ready to congratulate and thank those who administered their affairs. It was very gratifying indeed to have the assurance contained in His Excellency's speech that the subject had received proper attention from his ministers, and he, (Mr. McDOUGALL), sincerely trusted that the hopes it inspired would be fully realized by the facts. He thanked the House for the attention they had given him during his remarks, and concluded by seconding the motion made by his hon. friend, the member for Levis.

The Right Hon. Sir JOHN A. MACDONALD said it was his pleasing duty to congratulate the hon. gentlemen who had respectively moved and seconded the resolution in Mr. SPEAKER'S hands, upon the able manner in which they had performed their task. It was a proverbially difficult thing to make bricks without straw, and he must say for the hon. gentleman who had seconded the motion that his attempt to do so had been exceedingly successful. He had listened to that gentlemen's speech with great pleasure, but he must apologise to the mover for not being in a position to speak in the terms of his effort which he had every reason to believe it merited. This arose from not being very familiar with the language. He had no doubt, however, that the duty was performed ably and well. The gentleman who seconded need not have apologised to the House for the manner in which he was able to address it; he was happy to be able to congratulate him upon his effort, and he hoped often to hear him. A Canadian statesman, now no more, remarked with regard to the division of labour between the Parliament of the Dominion and the Provincial Legislatures, that the day would come when the Speech from the Throne would include but a simple recommendation to pass the Supply Bill. We had not yet arrived at that point, but we had come near it this time. Looking at the bill of fare he must say it was rather a meagre one, not qualified to satisfy a hungry Parliament. He would allude shortly to some of the subjects referred to in the Speech. He did not propose to move any amendment, believing that the system should be adhered to which had prevailed in the Imperial Parliament of agreeing to it as a matter of form, without undue delay, so that the House might proceed at once to business. The practice of discussing the Speech from the Throne at great length, and of raising endless issues upon it was simply an obstruction to the business. It was his opinion that, unless the Opposition were in a position to move a vote of want of confidence in the Government, which he candidly confessed they were not in a position to do on this occasion, the Address should be passed without delay. His hon. friend, who had seconded the Address, congratulated the gentlemen on the Treasury Benches on their popularity in the country, as displayed during the recent elections. It was certainly matter for congratulation, could it only be shown to be the fact. He would leave to the House and the country to judge whether the hon. gentleman's estimate was correct in that respect or not. The second paragraph of the Address alluded to the organization of the North West Police Force. They must all be pleased to learn that the Act put into force the other year had been so successful, and that the operation of the force had had such a beneficial effect. The measure introduced in 1873, as stated by himself at the time, was an experimental one, and would involve in all probability, from time to time, some improve-

ment and amendment. The Speech had not disclosed whether the Government had found it necessary to alter the constitution of that force or otherwise. This paragraph of the Speech, he repeated, was a very important one, and he hoped the Government would be in a position to lay before the House, during the present Session, and as early as possible, some report from the officers in command of the force, which would show the progress they had made, their experiences of the North-West, their difficulties, their troubles, and the results of the expedition generally; so that the House might be informed of their value as well of their disadvantages. One of these advantages, according to the Speech, was that it largely reduced the military force in the North-West. That, of course, was a matter for congratulation, but he hoped the reduction had not been obtained at the expense of the sense of security which existed up to that time in that country. He reminded the House of the purpose of the late Government in proposing to appoint that expedition, and believed it would be well at least to retain so much of a military force as would be sufficient to preserve order in case the police should at any time fail in their duty. He presumed, although there was no mention of it in the Address, that the papers with regard to the Treaty with the Cree and Sauteux Indians would be laid before the House, and that the sanction of the House would be asked thereto. There was no question of greater importance than the peaceable government of the North-West, and the maintenance of friendly relations between the executive of Canada and the aboriginal inhabitants of that country. He hoped when the Treaty was sent down to Parliament that it would prove to be a fair one in every way to the Indians, and that there would be no opportunity given to them, or to those who were considered their guardians, that a hard bargain had been driven by the Government. It would be exceedingly unfortunate if the Treaty were absolute in its terms, since Parliament could vetoe it at any time if they considered it had been made without due consideration. It would be very unfortunate, however, if it were necessary for Parliament to do anything of the kind, as it would destroy the confidence of the Indians in us. He desired it to be fully understood that all such treaties must be submitted to Parliament for its consideration and approval. In reference to the official tour of His Excellency the GOVERNOR-GENERAL in the West it was admitted by universal consent that it had been a triumphal march from beginning to end. His Excellency had presented to the people of this country a representation of our monarchical institutions in their most perfect and loveable form. In every speech he made, in every step he took, on every occasion upon which he had any communication with any of HER MAJESTY'S subjects in the West, his conduct was admirable. His most eloquent speech—that delivered at Toronto—containing a *resume* of his experiences in the West, was a monument to his ability and capacity in every respect to hold the high position he now did, as representing Her Gracious Majesty QUEEN VICTORIA among her Canadian subjects. The attention of the House was called to the proposed creation of a Supreme Court. He had no doubt that this was intended to be the court contemplated in the act of confederation. The subject had already been before Parliament; it had engaged the attention of the late Government; it had engaged himself as Minister of Justice for a considerable time. He had stated when the subject was previously before Parliament, that it would be difficult, in his opinion, to obtain a court that would be satisfactory to all parts of the Dominion—chiefly on account of the Province of Quebec. He hoped that these difficulties had been overcome, and from the fact of the measure being in the hands of his hon. friend, the Minister of Justice, who came from that Province of Her Majesty's Canadian Dominion, he believed they would be. He might add that they were the causes which delayed his own action in the same direction. He scarcely understood, however, how this court could be essential for the settlement of constitutional questions. In England, the only tribunal for the settlement of constitutional questions was the High Court of Parliament, and in Canada, it was this House, subject, of course, to the limitation of our powers by the Act of Confederation; and reference on special subjects to the arbitrament of the Imperial authorities. So far as he was able to judge, the court could only decide upon simply legal ques-

tions; they would see, however, what was proposed to be done when the measure was before the House. A measure was a'so promised on the subject of insolvency. It was not stated whether the bill would be a mere alteration of the present law or not, but the Government, as a whole, had apparently given it their consideration, and were to introduce and carry a law settling the whole question. The Hon. the FIRST MINISTER, a few years ago, was of opinion that it was expedient to expunge from the Statute Book altogether anything in reference to a bankrupt law. He did not know whether the hon. gentleman held that opinion still. With respect to the reorganization of the Government of the Northwest, that was a subject of some importance. The Pacific Railway was also a subject which involved the consideration of such great and important principles bearing upon the future as well as the present prosperity of the country, that he would follow the example of the seconder of the Address, and not make any remark in respect of it till the House was in a position to consider the subject with all the papers before it. He was of opinion that these papers should be brought down and considered in connection with the communications which had passed between the Government and the authorities in British Columbia in reference to the same subject. There was one thing he had to say to this clause, and that was that it appeared to pledge the House to an approval of the course taken by the Government in regard to this whole subject. When that paragraph was moved he would therefore ask that it be entered as carried on a division. We then came to the paragraph which referred to the finances of the country, and all were of course glad that the estimates to be brought down had been prepared with every regard to economy. No allusion was made to the state of the revenue. He thought it would have been kindly to the country and fair to the House had some such reference been made in view of the statements of the FINANCE MINISTER last session. It was not found from the Address that there was to be any alteration in the tariff. Last session the MINISTER OF FINANCE had spoken of reforms which he intended to inaugurate in the manner of administering the public affairs, by which he thought it probable that he would be able to relieve the country from the additional taxation then imposed. There was no mention made of that here. With regard to the subject of immigration, he was glad to learn that the Government had fully developed their scheme, and that, instead of having the different Provinces running counter to the Dominion and each other, they would henceforth be found working together. He hoped the papers on this subject would be laid before the House. Speaking generally, he was bound to say that the Speech did not contain reference to many subjects, and that it was generally characterized as one containing remarkably little. It might probably be fair to say that it was as remarkable for what it did not contain as for what it did contain, especially when it made no reference to the Reciprocity Treaty. At the opening of last Session the Speech from the Throne announced that negociations had been entered upon with a view to the consummation of such a treaty, and it was again alluded to in the Speech at prorogation. Although it had caused what might almost be called a crisis in the financial relations of the two countries, it was left out of the question on this occasion. It was scarcely treating the country fairly that some mention was not made of it. He concluded, however, that this was owing to the fact that at the time the Speech was drafted the final action of the United States on the subject had not been taken, and that it could not be alluded to before the United States had so disposed of it. Since that time that final action had been taken, and the hon. gentlemen on the Treasury benches had thereby been relieved from much trouble. He had no doubt the hon. gentleman at the head of the Government thought, now that the subject was disposed of, to lay all the papers before Parliament, so that the House and country might have an opportunity of discussing it, and, as this question may come up again, or another treaty might be made or pledge made, that the Government of the day and all Governments might know what were the opinions of the representatives of the people on that most important subject; which portions of the treaty were in accordance with the opinion of Parliament, and what portions were worthy of condemnation, or at all events, of disapprobation; so that in the event of any future attempt being made to resume

the negociations the Government of the day, and the negociators might be armed with the opinion of Parliament, with respect to the clauses of that treaty. Rocks might be avoided by having an expression of the House as to which of the stipulations in the treaty were worthy of, and would meet with the acceptance of Parliament, and what clauses would receive consideration, if it had been a final and binding treaty between England, Canada and the United States. He hoped the hon. gentleman would find an opportunity, if not during the discussion on the Address, at the earliest period afterwards, to give the usual explanations in regard to the reconstruction of his Government. He recalled to the memory of the leader of the Government an omission that was made during last session. When the Address was being discussed, he called upon the hon. gentleman for the usual Ministerial explanations as to the formation of the Government, and as to the withdrawal of certain of its members. Those explanations were promised to be given at a fitting time, and although he (SIR JOHN MACDONALD) pressed for them, on the suggestion, he thought, of the member for Chateauguay, they were postponed, and the PREMIER promised to make them immediately afterwards. That promise was not fulfilled. They might as well have the explanations this session as the last, because, from a constitutional point of view, it was of importance that no change, either of more or less importance in its nature, should be made in the *personnel* of the Government, without Parliament being informed of the reasons which induced her members either to join a Government or to withdraw therefrom.

Hon. Mr. McKENZIE said he had no reason to find fault with the remarks of the leader of the Opposition on the Address in reply to the Speech from the Throne. He had complained that the bill of fare was rather meagre; the Government would endeavor to supplement it in such a way as to satisfy his inordinate desire for a large bill. If the hon. gentleman did not approve of the number of dishes he might approve of the quality of those produced. The leader of the Opposition had referred at considerable length to the police force in the North-West, saying that the Government had not afforded information as to the details connected with that force. That was quite true; but the House would be placed in possession at the earliest possible moment of all information in the hands of the Government. The hon. gentleman had laid some stress on the question whether the police force would in itself be a success, meaning in its constitution and in its ability to perform the duties required of perhaps a military force. Well, there was no doubt that difficulties had arisen, not certainly very serious, in conducting the operations of that force with merely civil power at its command. Many were of opinion that it would be exceedingly difficult to maintain a police force acting in a semi-military capacity. It was a subject which had engaged the very serious attention of the Government at the time the force was organized under the existing Act, and it became a grave question whether they should not combine with the force part of the military force then in existence, and thus obtain a civil force with a military character. The Government felt, however, it was due to the wisdom of Parliament in framing that measure that they should give the Police Force as constituted by the Act of the hon. gentleman now leading the Opposition a fair trial before they should make any serious change. They also felt it was not expedient as a matter of public policy to constitute a standing army if it could possibly be avoided. That had been the policy of the country, and the military force that had existed in that country was maintained owing to local irritation and troubles in that country; and it was now felt to be exceedingly desirable that as soon as possible that military force should be removed and the Province be placed in exactly the same position as the other Provinces of the Dominion, military force only being made available to aid the civil force when required. He hoped the hon. gentleman's remarks were not correct when he expressed a fear that the Government had so largely reduced that police force, and not duly considered the necessities that might exist or arise for its continuance and perpetuation. He did not think there was anything in the recent history of the country to justify an opinion of that kind—a fact which the House and country would be glad to learn. Of course, it was impossible to discuss that particular item to any great extent at that time, but when he introduced the Bill, as he would probably

do at a very early day, for the reorganization of the Government of the North-West Territory, and consolidation of the laws relating to it, he would enter more fully into the operations of the police force, and present to the House a complete picture of the country as it at present stood in respect of the execution of the laws in force, or supposed to be in force, but which were not being executed when the police force took possession of the country. He would say nothing as to the Insolvency Law, as it would be dealt with by his hon. colleague the MINISTER OF JUSTICE who had given his utmost attention to the subject, and would invite the opinion of the members of the House thereon, so as to obtain the most practical measure possible. But the leader of the Opposition had alluded to his, (Mr. MACKENZIE'S), own opinion at a comparatively recent period as to the necessity of continuing the present law. His opinion then was, and his individual opinion remained to a great extent the same, that it would have been advisable then to have allowed the law to lapse for a year or two. He was bound to say that the commercial opinion of the country was generally opposed to his opinion on that matter. He was equally bound to admit that in executing the office that he held he must consider the commercial sentiment of the country in a question of that kind, and to a certain extent subordinate his opinion to it. He would say nothing as to the remarks of the leader of the Opposition concerning the revenue; no doubt his hon. friend, the member for Cumberland, would discuss the question with him at a later day. The question of immigration had also been mentioned. It was not precisely as his hon. friend had supposed a repetition in the remark in the speech from the Throne last year. There was a combined effort last year, but it was not the same sort of combination as now. An endeavor was made to induce the Dominion and Provincial immigration agents to act in harmony. Now it had been arranged that the several Provinces should pay a certain proportion of the Dominion emigration office, and that the Dominion General Agent in charge of emigration in England would take charge of all the agencies of the several Provinces, and see that every agent was attending to his particular field, and that full information respecting all the Provinces, was placed within the reach of every person in the districts where the agents were to work. This was the difference in the statements of the Speeches from the Throne this year and last. The resolutions aimed at by the representatives of the different Provinces would be placed before the House, which would then have the opportunity of seeing what system had been adopted. The hon. gentleman had regretted very much the omission from the Speech of all reference to the Reciprocity Treaty. He was satisfied that the hon. gentleman was merely joking when he remarked on that omission; he could not, from his knowledge of the practice of Parliament have been serious in his remarks. There was no reason why any mention should be made of that subject. At opening of Parliament last year, the Government had to announce the course taken in regard to the negotiations then in progress, and these negotiations had not been concluded at the close of the session, and indeed, were not even now concluded. The hon. gentleman presumed that the Government had not received notice, at the time the Speech was prepared, of the action of the United States Senate; but they had no notice of the action of the Senate at this moment. All they knew was that the draft treaty, which would be laid on the table of the House on Monday, was submitted, with the approval and sanction of the Government of the United States, as the law required for the action of the Senate, and the Government did not know at this moment what was the action of the Senate. But he would have no difficulty whatever in defending that treaty, and he was satisfied he could be able to show, when it came up for discussion, that it bore a favorable contrast with some treaties that might be discussed in the House. He was deligated to hear the leader of the Opposition state that on all occasions when a treaty was to be negotiated, the opinion of Parliament should be obtained before the ambassadors set out.

Sir JOHN A. MACDONALD—No, no.

Hon. Mr. MACKENZIE—What was the course of the hon. gentleman himself on this subject? When a very distinguished member of the House rose in his place, and desired to give instruction to the leader of the Opposition in regard to a certain treaty, the ground was then taken by the Ministry then in power that it was exceedingly im-

proper for any member of the House, or for the House itself to even insinuate any instruction to an ambassador setting out to negotiate a treaty. He (Mr. MACKENZIE) was induced —and he had regretted it ever since—to allow the leader of the then Government to set out for such a purpose without an expression of the opinion of the House having first been obtained, but he supposed the hon. gentleman possessed such an extended knowledge of the wants and peculiar circumstances of the country as would enable him to have that treaty executed in such a way as would not call forth the condemnation of the people afterwards. He would not now discuss the Reciprocity Treaty, and therefore would say nothing further on that point. The hon. gentleman on the present occasion had given the House a somewhat different definition of the power of the Crown in respect to treaties, laying down the principle that it was not capable of executing any treaty without the same having been submitted to and sanctioned by Parliament, and he took the ground that the treaty with the Indians could scarcely be held to be a treaty without its having received the sanction of Parliament. This, however, was not the first negotiation with the Indians since Confederation, and he had no recollection of the hon. gentleman submitting any previous treaty for the approval of Parliament. The hon. gentleman had either changed his views or had neglected to perform his duties ; he must accept one or the other alternative. The poor Indians on the plains would not be able to understand that the treaty was of no force and effect until it had been discussed and approved in Parliament ; and he would state frankly that the Government did not propose to submit the treaty with the Indians, for the approval of Parliament, before considering it already ratified. The Government would not deal with the Indians in that manner. Everything that devolved on us in consequence of that treaty would come before Parliament. The immediate result of the treaty was that we had obtained possession of their lands, and a sum would be placed in the estimates to pay for them, and the very voting of the money for the purchase of these lands was in itself practically the adoption of the treaty by the House. It was of the utmost importance that nothing should be done that would deprive us of the confidence that the Indians reposed in the good faith of the Canadian Government, and he was sure the leader of the Opposition would not insist on the views which he somewhat injudiciously gave utterance to to-day on this subject. With respect to Ministerial explanations, he had not the slightest objection to give the explanations asked for. He had also been reminded of his omission to do this last year, but he was not to blame for that omission. He had stated that after the address was passed he would be prepared to give the explanations whenever asked, but he was never asked to give them, probably owing to the ill health which necessitated the frequent absence of the leader of the Opposition. He was glad to observe that the hon. gentleman was not better able to attend to his parliamentary duties, and he would give these explanations on Monday, together with an explanation of the changes made in the Government last year. He was particularly anxious at the earliest opportunity to refer to the changes in the Government last year, because he conceived that the Minister of Justice had been grievously and unjustly dealt with by the members of the Opposition, as he would be able to show when the time came. He was not aware that there was any other subject which it was necessary for him to refer to on the present occasion. He appreciated the courtesy of the hon. gentlemen of the Opposition in taking the course they had taken in reference to the Address, and he had merely to say one word in conclusion in reference to HIS EXCELLENCY'S official tour in the West, to which the leader of the Opposition had very happily referred. No better emigration agency was ever adopted than the publication of HIS EXCELLENCY'S speeches—especially his speech at Toronto—and the record of the tour generally ; and a very great deal had already been accomplished by this means, in securing for this country the favorable notice of the English public. During last year a large number of distinguished gentlemen from England visited Canada, their first impressions being derived from some of these very speeches. He joined with the leader of the Opposition in congratulating the hon. members for Levis and East Elgin upon the ability they had shown to-day, and their introduc-

tion as speakers would have created such a favorable impression that the House would desire to hear them frequently.

Sir JOHN A. MACDONALD, in reply said that when the test of the proposed Reciprocity Treaty was before the House, it would be a fitting occasion to discuss in some parliamentary way the terms of that abortive treaty, so that the opinions of the representatives of the people might be expressed upon it, as they would be valuable for guidance on future occasions. With respect to the treaty with the Indians, he said it was in the nature of a contract with persons who were HER MAJESTY'S subjects, though they were in some degree held to be a separate body with whom contracts are to be made, which are by courtesy called treaties. He should be very sorry that it should be understood that any government had the power to make treaties without the consent of Parliament, which contained provisions for the cession of their land. As great a responsibility might be incurred in the acceptance of land as in the granting of land. He did not mean to say that there was anything in this treaty that should receive the disapprobation or even the coldness of this House or any member of it. For himself he had no reason to suppose that this treaty was not satisfactory in every way to this country, both white and red ; but still it was perfectly competent for Parliament to disavow such a treaty if the cession of territory or the granting of territory should be considered to be contrary to the best interests of the country. For that reason he had made the remark that it would be well in all treaties with the Indians—for fear they might not afterwards receive the approbation of Parliament—that some warning should be given that in case Parliament, in the exercise of its undoubted right, disapproved of the treaty, the Indians should not suppose that they had been treated with bad faith. That was all he said. He had no reason to suppose that the treaty was not satisfactory or would not prove satisfactory to the House and the country as well as to the Indians.

The resolutions were then read a first time. The first to the eighth resolution inclusive were carried without division. The ninth was adopted on a division. The tenth and eleventh were adopted without division. On the twelfth resolution,

Mr. MASSON asked whether all the papers, correspondence and other documents in connection with the North-West troubles would be submitted to Parliament. He had himself thought of putting a notice on the paper asking for all the papers, but if the Government intended to include all the papers in their return, that course would be unnecessary.

Hon. Mr. MACKENZIE—The return will include everything.

The resolution was then adopted, as were also the two remaining resolutions, without division.

Hon. Mr. MACKENZIE moved that the said resolutions be referred to a Select Committee composed of Hon. Messrs. SMITH, FOURNIER, CARTWRIGHT and LAIRD and Messrs. FRECHETTE and MCDOUGALL. —Carried.

Hon. Mr. MACKENZIE from said Committee reported a draft address to HIS EXCELLENCY, which was read a first and second time and ordered to be engrossed.

Hon. Mr. MACKENZIE moved that said address be presented to HIS EXCELLENCY by such members of this House as are of the Privy Council—Carried.

SUPPLY.

Hon. Mr. CARTWRIGHT moved, That this House will, on Monday next, resolve itself into a Committee to consider a supply to be granted to HER MAJESTY—Carried.

DEPARTMENTAL REPORTS.

Hon. Mr. CARTWRIGHT laid on the table the Public Accounts of Canada for the year ending 30th June, 1874.

Hon. Mr. BURPEE laid on the table the Trade and Navigation returns for 1874.

On motion of Hon. Mr. MACKENZIE, the House adjourned at 5.20 p.m.

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HOUSE OF COMMONS.

Monday, February 8th, 1875.

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

NORTH-WEST TROUBLES.

Hon. Mr. HOLTON—I rise, Mr. SPEAKER, for the purpose of propounding an enquiry on a very important subject, to my hon. friend the FIRST MINISTER, of

of which I gave him notice privately on Saturday last. In the Speech from the Throne, which we replied to on Friday, there was an intimation that papers relating to the troubles in the North-West would be laid on the table at a very early day. Now, sir, the question which I propose to ask my hon. friend is twofold: Firstly, as to when these papers will be brought down to the House; and, secondly, as to whether it is the intention of the Government of which he is the head, to submit to the House the proposition founded on these papers, having reference to the subject of an amnesty to the people engaged in the disturbances in the North-West some years ago, and also with reference to the cognate subject of the position of Louis Riel as a member-elect of this House.

Hon. Mr. MACKENZIE—Sir, — my hon. friend is right in his remark, that he gave me notice of his intention to ask this question, and I am quite prepared to answer it. I expect to be able some time this afternoon to place these papers on the table of the House ; they are not yet quite ready but I hope they will be before the House rises. The Government intend to deal with both subjects as soon as the papers are before the House, and I will place a notice of motion on the paper to-night for Thursday night in order to proceed with the consideration of these questions.

WOODEN AND IRON BRIDGES.

Mr. BLAIN—At the close of last session I moved for certain correspondence relating to the comparative value of iron and wooden bridges on the Intercolonial Railway. The Committee on printing had, I believe, broken up and were unable to consider the question whether these papers would be printed or not. I therefore, sir, with permission of the House, would move that these documents be printed. I suppose it would be irregular to send them to the Printing Committee, as part of the papers belonging to the session, without a special motion being made ; and I therefore, as I think the information is very desirable, seeing we have so many public works now going on, move :—

"That the documents laid on the table last session, in anwser to an address for certain papers and correspondence, relating to the comparative cost of Wooden and Iron Bridges on the Intercolonial Railway, be printed and circulated as public documents usually are."

Mr. SPEAKER suggested that this should take the shape of a formal notice of motion.

Hon. Mr. HOLTON said, the hon. gentleman was quite right in taking this method to bring the subject of the printing of these returns, made last session, before the House. The motion, as a matter of course, went to the Printing Committee without the question being put by Mr. SPEAKER, under Rule 94.

Mr. BLAIN.—The difficulty is that the Committee is not yet appointed.

Hon Mr. HOLTON.—When the Committee is appointed, the motion goes to it as a matter of course.

THE VETERANS OF 1812-14.

Mr. DELORME asked whether it is the intention of the Government to grant a pension or a gratification of some kind to the veterans who served in Canada as soldiers of the sedentary Militia during the years 1812, 1813 and 1814.

Hon. Mr. VAIL—The Government have that matter under their consideration, and have placed an amount in the estimates which they think will be ample to grant a pension to the veterans of 1812.

A COURT OF ADMIRALTY.

Mr. WOOD asked whether it is the intention of the Government to establish a Court of Admiralty for the inland waters of the Dominion during the present Session of Parliament.

Hon. Mr. FOURINER—A correspondence has been opened between this Government and the Imperial authorities on this subject. From the answers received, it appears that some legislation would be necessary in order to extend to inland waters the jurisdiction up to this time confined to maritime waters only. The Imperial Government having expressed their willingness to accede to the request of this Government, it has been deemed advisable to ask, during this session of the Imperial Parliament, that the necessary legislation should be passed.

M. FOURNIER répète en français ce qu'il vient de dire en anglais :

Il y a eu, dit-il, échange de correspondance entre le gouvernement impérial et ce gouvernement, et le résultat est qu'il

est nécessaire que le gouvernement impérial légifère sur ce sujet pour étendre aux eaux intérieures du Canada, la loi relative aux eaux sujettes au flux et au reflux. Sous ces circonstances le gouvernement a décidé de demander au parlement impérial de passer cette législation.

THE WELLAND CANAL.

Mr. WOOD asked whether it is the intention of the Government to deepen the Welland Canal, so as to secure fourteen feet of water on the mitre sills, instead of twelve, as at first contemplated.

Hon. Mr. MACKENZIE—It is not the intention of the Government to go to a greater depth than twelve feet of water. I may tell my honorable friend that the harbor capacity of the lakes does not seem to fairly contemplate a greater depth of water than that, as they could not possibly be used without an enormous outlay, and the outlay on the canal even would be so serious as to deter the Government from entering into such a great expense. We have given the question careful consideration, and think that the plan adopted is the one we must adhere to.

ST. LAWRENCE CANALS.

Mr. WOOD asked whether it was the intention of the government to proceed with the enlargement of the St. Lawrence Canals, and how soon, and whether they will be of the same capacity when finished as the Welland Canal?

Hon. Mr. MACKENZIE—It is the intention of the Government to proceed with the enlargement of the St. Lawrence Canals at an early day. There is not any pressing hurry for them, however, as we believe transhipment to smaller vessels in Kingston harbour can be accomplished without any very great expense. The plan for the ultimate works is to make the locks the same size. The survey has been made upon an intention to deepen the St. Lawrence river to no greater depth than twelve feet. The expense to get fourteen feet would be still more enormous than to get the same depth on the Welland, as it would involve the deepening of a large portion of the channel of the river. It is the intention of the Government to proceed, as time and circumstances may justify them, in doing any enlarging of the St. Lawrence canals, to the same depth as the Welland.

INSPECTORS OF INSURANCE COMPANIES.

Mr. WOOD asked whether it is the intention of the Government, during the present session, to introduce an Act providing for the appointment of inspectors of insurance companies, both fire and life?

Hon. Mr. MACKENZIE—The hon. gentleman will observe that in the Speech from the Throne one of the measures foreshadowed is a general Insurance Act. That Act will provide for a general inspector of insurance affairs.

INTERCOLONIAL RAILWAY CARS.

Hon. Mr. TUPPER asked whether tenders have been advertised in Nova Scotia, for the coal and hay cars required by the Intercolonial Railway?

Hon. Mr. MACKENZIE—Perhaps the House will allow me to ask whether the question refers to the present or what time?

Hon. Mr. TUPPER explained that he meant the supply of hay and coal cars the Superintendent of Railways intimated it was the intention of the Government to put on the road. The question was put in consequence of a telegram from a contractor in Nova Scotia who had seen no notice and had not had an opportunity of competing for the cars.

Hon. Mr. MACKENZIE—Proposals were invited, as I understand, from the various manufacturers of cars in the Dominion for a certain number of cars, and a firm in St. John sent the lowest tender of any, either in the United States or Canada. I was afterwards told that another firm, in Halifax I think, which was in the habit of doing this business had not seen any notice, and as the first tender did not comprise all that was required by the road, I understand that the superintendent gave a contract to the Halifax firm at the same rate as the other.

THE ST. LAWRENCE RIVER.

Mr. BLAIN asked whether the Government have caused to be made a survey of the St. Lawrence with a special view to ascertain whether a depth of fourteen feet of navigable water can be obtained at a reasonable outlay; and, if so, what is the result?

Hon. Mr. MACKENZIE—A careful survey has been made of the River St. Lawrence and the Government are in

possession, as nearly as can be possibly ascertained, of the cost of obtaining twelve feet navigation. We are not in possession of information as to fourteen feet navigation, because it was not contemplated when the survey was undertaken. I may say, however, that the cost would be a very unreasonable one, and the Government would not be justified in undertaking the work.

HIS EXCELLENCY'S COMMISSION.

Mr. MASSON moved for a copy of His Excellency the Governor General's commission, and of the Royal Instructions which accompanied it. Carried.

COMMUTATION OF LEPINE'S SENTENCE.

Mr. MASSON moved that an Address be presented to His Excellency the Governor-General for copies of all papers, Orders in Council and correspondence relating to the commutation of the sentence passed on A. Lepine in Manitoba for the death of Thomas Scott. He said: In making this motion, I desire to draw the attention of the House to a document which has been published in the *Official Gazette* of this country, and consequently under the authority of the Government, which has affected public opinion considerably in the country within the last few days. It is as follows:—

GOVERNMENT HOUSE,
January 15th, 1875.

SIR,—I am commanded by the Governor-General to inform you that His Excellency has had under his full and anxious consideration the evidence and other documents connected with the trial of Ambroise Lepine, who has been capitally convicted before the Court of Assize held at Winnipeg on the 10th day of October, 1874, of the murder of Thomas Scott, on the 4th of March, 1870, at Fort Garry.

Although His Excellency entirely agrees with the finding of the Jury, and considers that the crime, of which the prisoner Lepine has been convicted, was nothing less than a cruel and unjustifiable murder, he is of opinion that subsequent circumstances, and, notably, the relations into which the Provincial Authorities of Manitoba entered with the prisoner and his associates, are such as, in a great degree, to fetter the hands of Justice.

It further appears to His Excellency that the case has passed beyond the province of Departmental Administration, and that it will be best dealt with under the Royal Instructions, which authorize the Governor-General, in certain capital cases, to dispense with the advice of his Ministers, and to exercise the Prerogative of the Crown according to his independent judgment, and on his own personal responsibility.

I have it, therefore, in command to inform you that it is His Excellency's pleasure that the capital sentence passed upon the prisoner Lepine be commuted into two years' imprisonment in gaol from the date of conviction, and the permanent forfeiture of his political rights.

His Excellency desires that the necessary instrument for giving effect to this commutation be forthwith prepared.

I have the honor to be, Sir,
Your most obedient humble servant,

H. C. FLETCHER,
Governor-General's Secretary.

To the Honorable
The Minister of Justice, Ottawa.

Sir, I am not desirous of discussing the constitutionality or unconstitutionality of this document. I am not ready to consider even the bearing it may have upon Ministers of the Crown, His Excellency's advisers in this House, and before the country. I do not even want to search into the reasons which have induced His Excellency to adopt such a course, which, to say the least of it, is unusual, if not entirely unprecedented. Neither is it my intention to enter into a consideration of the declaration made by the Government, which I must say, in all frankness and all honesty, so far is, in my humble opinion, quite satisfactory. But I thought it my duty to seize this first opportunity to protest most respectfully, but at the same time most earnestly, against the unfortunate expression which I find in the first paragraph of this letter: "Although His Excellency entirely agrees with the finding of the jury, and considers that the crime of which the prisoner Lepine has been convicted was nothing less than a cruel and unjustifiable murder." I protest against any such expression, and I protest, moreover, against the conclusion at which—in fact, I am in a bad position; I do not know whether to say the Governor-General or the Government; but, of course, the Government can relieve me; if they don't I shall take the papers as they are, and say the Governor-General—at which His Excellency has arrived. Sir, this verdict—it is a verdict—this sentence will go through this country and will cause immense disappointment to a great number of HER MAJESTY'S loyal subjects, who expected—without considering in the smallest degree the question of amnesty itself—that if parties implicated in those troubles were brought to trial,

and justice took its course, at least an immediate pardon would ensue, as many people, in the Province of Quebec especially, were led to understand would be the case. Sir, this unfortunate expression will cause, I will not say discontent—no; but it will cause deep sorrow and grief among the loyal French population of Manitoba, who, notwithstanding the very strong charge of the judge, and notwithstanding the verdict of a packed jury—I hold myself entirely responsible for every word I say—who notwithstanding the verdict of a packed jury still consider that M. LEPINE is entitled to the respect, the esteem and the love of all that population. It will also cause grief and sorrow to the numerous petitioners from all parts of this country who have respectfully approached His Excellency and asked him to extend to LEPINE that mercy which is the noblest prerogative of the Crown. Those thousands of petitioners, those thousands of loyal subjects of HER MAJESTY will not be able to avoid feeling that if state reasons or political difficulties connected with this vexed question rendered it necessary for the Governor General to adopt the course that he has adopted they might at least have been spared the humiliation of it going to the whole country, that they have interested themselves for a man who is nothing but a criminal, guilty of a crime so cruel, so unjustifiable, that perpetual deprivation of political rights, that is to say eternal degradation, is not a punishment in proportion to the guilt that he has committed. Sir, we may say what we please, but if the action of M. LEPINE was not the consequence of the organization of a government which he thought had the real authority in the country it was a crime such as to deprive those who were guilty of it of any sympathy. But notwithstanding the verdict of the jury, notwithstanding this letter which I have read and which grieves me and grieves a majority of the population of Lower Canada and which must grieve I know a majority of the well-thinking English population of this country—notwithstanding that verdict and this letter from such high authority, I still maintain as a petitioner myself, and the petitioners and the loyal population of Lower Canada still maintain, that M. LEPINE is not a murderer in the sense of the word which carries with it degradation, shame and humiliation. I will not dwell at length upon the reasons which induce me to say that M. LEPINE is not a murderer in that sense. The position at which the Government have arrived will necessarily be the subject of discussion before this House, and I still hope the question will come before the House in such a form that all sides may be able not to discuss the question but to congratulate them upon the decision at which they have arrived. But I will take up this letter itself, and whoever is responsible for it bore on its very face a contradiction Look at the second paragraph:—"It further appears to His Excellency that the case has passed beyond the province of Departmental Administration." Why has it passed beyond the province of Departmental Administration? Was it because of the enormity of the crime? There is no crime however enormous which is beyond the noble prerogative of mercy of the Crown, and I may say more, the more enormous the crime the easier it will be for the Governor General to adopt a course upon the subject, because the easier it will be for his Advisers to give advice upon it. Is it because it is beyond the function of HER MAJESTY'S constitutional advisers? No. The offence is one which has been adjudged by one of our own tribunals, and consequently our Minister of Justice can advise His Excellency upon it, and if the Governor General is obliged to act upon his own responsibility it is because he himself feels that there is something in the offence, which takes it beyond an ordinary offence. If the sentence which was passed upon M. LEPINE was for a common crime His Excellency would have found all his advisers ready to give him advice upon the subject. Sir, this letter is unfortunate on another score. His Excellency states that he is of the opinion "that subsequent circumstances, and notably the relations into which the Provincial authorities of Manitoba entered with the prisoner and his associates, are such as in a great degree to fetter the hands of justice." Now, I think any gentleman in this House who wishes to examine the question fairly and impartially will say that this paragraph says a great deal too much, if the action of the Provincial authorities was not approved by the Federal Government, and will also admit that it does not go far enough if the action of the local authorities was approved and

endorsed by the Federal Government. What are the facts? The country was then threatened with an invasion. It was considered then in that country that unless the French population came forward and offered themselves to defend the country, the country would be lost to us. What did the Lieutenant Governor, the representative of HER MAJESTY in that country, do? He appealed to RIEL, LEPINE, and others, to come forward in defence of their country. Did they refuse? No, they immediately came forward, and everybody who has read the evidence before the Committee of Enquiry, knows that if that country has been saved to Canada we owe it to the efforts of the parties implicated in that unfortunate affair, and the good will of the French population of Manitoba. This being the fact, what is the consequence? Can you appeal to any man who is not a subject of HER MAJESTY, to take up the sword in defence of the country, and when he comes forward receive him and treat him as one of HER MAJESTY'S loyal subjects, and entrust him with the sword in defence of the country, and at the same time decide that that man shall pass two years in gaol as a common criminal, with thieves, robbers, and burglars, and for the rest of his life condemned to the loss of his political rights. There is no use referring to the authorities on this subject. The best authority is our own feelings, our own judgment, our own common sense, and our feelings, judgment and common sense tell us it is impossible to consider the man that you have entrusted with the defence of the country as a common criminal. I come now to the last paragraph of this document. I will not touch upon the subject of the third paragraph, which certainly places HER MAJESTY'S advisers in this House in a very awkward position, and I hope as I have said that such a course will be taken as will not necessitate the recurrence of this question in the future. The last paragraph is as follows:

"I have it, therefore, in command to inform you that it is His Excellency's pleasure that the Capital sentence passed upon the prisoner Lepine be commuted into two years' imprisonment in gaol from the date of conviction, and the permanent forfeiture of his political rights."

Now, sir, I suppose I need not say that this verdict will be received with immense grief and sorrow by the great majority of the people of this country. I readily understand—I who know the circumstances, who know the country and the people, who know Mr. LEPINE himself—I readily understand that he who is the father of eight children, the responsibility of whose support and education rested upon him, will feel that the sparing of his life is a great boon, because, notwithstanding the humiliation that he will have to bear, whether he remains a patriot in his country or an exile for ever, he will always be in a position in future years to support his family. But I say as a political man, and regarding this as a political question, this verdict of HIS EXCELLENCY is a step backwards. Mr. SPEAKER, I must give the reasons why I now ask for these papers. I have thought it my duty to enter my protest, because I know the whole population of Lower Canada and of Manitoba, and I may say the whole thinking population of Canada protest against the course which has been adopted. I ask for all the documents to be laid before the House, because I see in the letter of His Excellency the Governor General a reference to some documents which are not before us; also, there is a sad rumour—it is more than a rumour—circulating among the public that the papers conveying the Act of Clemency, so called, by His Excellency, reached Manitoba after the time appointed for the execution. Explanations have been given of the fact that the documents relating to that subject had been presented privately to Lieutenant-Governor MORRIS three or four weeks before. Sir, it will be interesting to the House to know that a public print, an organ of the Government, announced that it was authorized to say that the instructions on the subject of the commutation of LEPINE'S sentence had been in the hands of Lieut.-Governor MORRIS long before the date of the execution, and consequently LEPINE ran no risk of being executed. It is important to the House to know by whom this journal had been authorised to make such statement; also, how it occurred that, if His Excellency the Governor-General had come to the determination to issue this commutation of sentence, notice thereof did not reach Manitoba in time to avoid all difficulty, and how it is that these papers, which were written weeks ago, are only published

in this country after the elections in Ontario. If Lieutenant-Governor MORRIS had been notified over a month ago that the sentence was to be commuted, how is it that the papers were only signed a few days after the elections in Ontario; and who advised the Governor-General to delay the issuing of the proclamation, when His Excellency had resolved four weeks ago to commute LEPINE'S sentence. The effect has been to keep LEPINE in hot water during one month longer than was necessary. The Government will well understand that the members of the House are entitled to know how it occurred that the decision of the Governor-General, which had been determined four weeks before the matter was known to the public, was kept back from the public until after the Ontario Elections. I beg to move the resolution which I have read.

Mr. MACKENZIE BOWELL,—Mr. SPEAKER, before the motion is put I think it well that some one should object, and it is only that which I propose to do at this moment to the strong language used by the hon. member for Terrebonne in reference to the Judge and Jury which tried this case. It is not my purpose now to discuss the question before the House; I think that can be much better done when we have all the papers before us, but I simply rise to protest against the bold declaration on his part that the Jury was a packed one. I also desire to call the attention of the House to the fact that on that Jury there were only two men of purely white extraction, four being of Anglo-Indian origin and six being French half-breeds. I don't think that at so important a trial any criminal could have been placed at the bar in a more favorable position than was LEPINE, so far as the Jury was concerned. The language used by the Governor General in his letter is fully in accord with the charge of the Judge who tried the case in passing sentence. Having entered my protest against the use of this strong language, I have no desire to discuss the general question at present; no doubt it will come before the House in another shape when the papers are before it, and we can then enter fully into the question and the responsibility of the Cabinet Ministers in tendering, as I presume they did, the advice they did to His Excellency the Governor General in reference to this matter.

Mr. MASSON desired to offer a few remarks in reply. He denied that he had used too strong language in respect to the Judge, who made a strong charge. When the whole papers were submitted to the House he would show, by documents fyled in Court, that the Jury was a packed one; that a very learned criminal lawyer who went from Quebec to Manitoba protested against the packing of the Jury, by which the lists were not followed, but the names of persons favorable to the prisoner and adverse to the Crown were passed over. That fact could be proved, and if all the papers were laid before the House they would on their face establish the charge that the Jury was a packed one.

Mr. SCATCHERD — I rise, Mr. SPEAKER, for the purpose of taking exception to that portion of the address of the hon. member for Terrebonne in which he stated that it was the opinion of many people in this country that the North-West would have been lost to Canada if it had not been for the action of some of the parties that were implicated in those troubles. Now, sir, I believe it was never the opinion of any member of this House, or of any number of people outside of this House, that either RIEL or any of the people concerned in the first insurrection there, by anything they could do, or by any assistance they could give, either in the North-West or outside, could have severed that country either from Canada or Great Britain. I believe, sir, it never was the opinion of any of the members of this House or people of this country that anything LEPINE or those concerned in those troubles afterwards, when the Fenians attempted to invade that country, could have severed the country either from Canada or Great Britain. I protest against it being thought for one moment that those people saved the country to Great Britain, because we found, although they were quite ready to fight against defenceless inhabitants, they had not the courage to face the troops which went up under Sir GARNET WOLSELEY, but ran away.

Mr. MOUSSEAU—It has been said by no less a personage than Lieutenant Governor ARCHIBALD that the action of the French half breeds had saved the country.

Mr. LAURIER said he rose to call attention to the fact that the House was

entering upon a very irregular discussion. The time had passed for recriminations, and in view of the praiseworthy action of the Government in endeavoring to heal the wound caused by a wrong policy, the only step the House had to adopt was that of burying the past. He was exceedingly sorry to have listened to the language used by the member for Terrebonne. He (Mr. LAURIER) was a French Liberal, and his party was called the party of demagogues. It would not be the ungracious duty of one of the party of demagogues to criticise the action of His Excellency the Governor General. That duty had apparently devolved on a member of the Conservative party. He regretted the tone of the debate, and hoped that on Thursday they would hear the last of the North West troubles.

Mr. MASSON desired to explain his position.

Mr. CAUCHON raised a question of order, that the member had already spoken.

Hon. Mr. MITCHELL said, as the hon. gentleman from Quebec persisted in his objection, he moved the adjournment of the House.

Hon. Mr. CAUCHON said that nothing but personal explanations would be permissable. There must be an end to the debate.

Mr. MASSON observed that as there was a motion now before the chair, he would speak to it. He did not wish to impose himself upon the House, but at the same time he would state that it was not a personal explanation that he wished to make. The hon. member who raised the objection knew the answer he was going to make.

Mr. SPEAKER ruled that as a motion for adjournment had been made, the hon. member for Terrebonne had a right to speak.

Mr. MASSON then proceeded with his reply. He denied that he had acted as a demagogue, or had treated His Excellency disrespectfully, either in regard to the Pacific Railway, or any other subject. The name of His Excellency had been brought before the House, and he was compelled to refer to it in the course of his speech. His Excellency had stated in his letter that he was alone responsible for the commutation of LEPINE's sentence, and it was absurd to argue that members were not to be allowed honestly, honorably, and respectfully, to discuss such an important State document. A few days ago a gentleman who had been recently appointed a Senator, made use of language respecting His Excellency, which he (Mr. MASSON) would not dare to repeat to the House. He would not read the language, but he would try to remember it. The document to which he referred was, he believed, the production of a gentleman occupying a high representative position in this country. It stated that the Governor General had up to this time been a popular representative of HER MAJESTY, but by his action in this matter he has inscribed his name behind those of our most execrated Governors.

Hon. Mr. MACKENZIE rose to a point of order. The whole of the hon. gentleman's speech and his quotations were most disrespectful to HER MAJESTY'S representative in this Dominion, and he was sorry that he should have considered it not beneath his dignity to attribute the expression of the sentiments alluded to to any one, seeing that he knew nothing of their origin.

Sir JOHN MACDONALD said, while he was sorry that the language in reference to His Excellency the Governor-General had been repeated, he was bound to say that his hon. friend from Terrebonne was quite justified in the course he had taken, in view of the language made use of by the hon. gentleman on the other side of the House, who had used the term demagogue.

Mr. LAURIER—No.

Sir JOHN MACDONALD said the hon. gentleman had remarked that the whole Conservative party of Lower Canada were demagogues, and that his (Mr. LAURIER'S) party were not demagogues at all.

Mr. LAURIER denied that he had used the language.

Sir JOHN MACDONALD said such was the substance of the hon. gentleman's remarks, if they had any substance at all, and his hon. friend from Terrebonne was quite justified in quoting the language of a gentleman who certainly belonged to the party of the hon. member for Arthabaska, and who had been raised to one of the highest legislative positions in the Dominion. His hon. friend from Terrebonne was quite justified in resenting the indignity and obloquy thrown across the floor,

and showing what those gentlemen were themselves capable of doing in times of excitement.

Mr. LAURIER rose for a personal explanation. He was happy that, if he had been misunderstood upon the other side of the House, he at least had been understood upon his own side. The language he had made use of was this:—He had said that he was a Liberal from Lower Canada and that his party had always been represented for the last twenty years as demagogues by the party to which the hon. gentleman from Terrebonne belonged; and he congratulated his friends that upon this occasion the ungracious duty of criticising the action of His Excellency would not belong to the demagogues, but to one upon the other side of the House. He did not say that the hon. gentleman was a demagogue. He could not then have said that the hon. gentleman was a demagogue, for he had not then heard his speech.

Hon. Mr. MITCHELL said he had moved the adjournment of the House because he thought the rule which had been applied to his hon. friend somewhat arbitrary. He now begged leave to withdraw his motion.

Motion for adjournment withdrawn, by permission.

The original motion was then agreed to.

MILITIA MEN OF 1812-13.

Mr. PELLETIER moved an address to His Excellency the Governor-General for a statement, showing the names, ages and places of residence of all militia men of 1812-13, who have transmitted to the Imperial Government their claims for pensions and indemnities.

The motion was agreed to.

SELECT STANDING COMMITTEES.

Hon. Mr. MACKENZIE moved that a Special Committee of seven members be appointed to prepare and report, with all convenient speed, lists of members to compose Select Standing Committees ordered by this House, Messrs. MACKENZIE, A. J. SMITH, FOURNIER, HOLTON, TUPPER, Sir JOHN A. MACDONALD, and Mr. MASSON to compose said Committee.

The motion was agreed to.

EXPENSES OF SPECIAL COMMITTEES.

Mr. ROSS (Middlesex) moved, That the Clerk do lay on the table a statement of expenses incurred by Special Committees during the last session of this Parliament the expenses of each committee to be separately stated.

Mr. BOWELL said the information asked for would be found in the Journals of last session, in connection with a motion made by himself, the expenses of each committee being separately stated.

Mr. ROSS said, if the statement of the hon. gentleman was correct, he was willing to withdraw his motion.

The motion was allowed to stand.

PROCEEDINGS OF 31ST MARCH, AND 9TH APRIL, 1874.

Mr. BOWELL moved, That the entry in the journals of this House of 31st of March and 9th of April, 1874, relating to the examination of Attorney-General CLARKE, Detective HAMILTON, and policeman MCVEITY be now read.

Hon. Mr. HOLTON trusted the hon. gentleman would not persist in this motion, after the very explicit declaration from the Government in the afternoon, of their intention to take the initiative in respect to this, and to other matters connected with the difficulties of the North-West to which this motion referred. He believed it was the uniform practice of Parliament whenever the Government avowed their intention to take the initiative in respect to any subject whatever, to leave it in their hands entirely. In this case the leader of the Government had made a statement to the House of what he proposed to do, and he thought there would be a manifest propriety in pursuing the customary course upon this occasion. Of course they could not separate the subject of the hon. gentleman's motion from the other matters relating to the North-West, in respect of which the announcement had been made in the Speech from the Throne, that papers would be laid upon the table, and in respect of which the First Minister had, to-day, declared that he would be in a position to bring them down early. He considered the House was not in a position to deal with the subject, and therefore he would suggest that the hon. gentleman should leave the initiative to the Government.

Mr. BOWELL said it was not his intention to proceed with the other motion, of which he had given notice, at the pre-

sent time. He could see, however, no impropriety in taking the step that he proposed, of having the journals read in order to prepare this House for a subsequent motion in case the action which the Ministry might take did not accord with what he and those who thought as he did, believed it should be. If the first Minister of the Crown was prepared to say to this House that it was the intention of the Government to take steps to rid this House of an unworthy member, he would leave the entire responsibility to them, and proceed no further. He could not perceive that it would interfere in the least with the course the Ministry intended to pursue, if the Journals were read. It would only place him in a position to take the course he intended and be prepared to make his other motion and bring the matter before the House. The motion for the expulsion of LOUIS RIEL, the member elected in September last for Provencher, would not be moved by him (Mr. BOWELL) until the Government had indicated the course they intended to pursue—until next Thursday. He liked to be prompt in this matter, because the House should act promptly. He was not aware, from reading the authorities, that even if the Government did come down with a proposition for a general amnesty, and it should be HER MAJESTY'S pleasure to grant such amnesty, that the House should allow RIEL to take a seat among them. The authorities were sufficiently clear on this point, and some of the most eminent law officers of the Crown had laid down this principle, that though amnesty and a full pardon might have been granted by HER MAJESTY, such circumstances might have transpired in connection with the crime with which the person was charged, as would justify the House of Commons in expelling him from their midst. He (Mr. BOWELL) mentioned this fact in order that the House might fully understand the position that he, at least, occupied in reference to this matter, and he believed that he spoke the sentiments of a large number, if not a majority, of this House. If he could see the force of the appeal which had been made by the hon. member for Chateauguay, he certainly would allow this matter to stand; but, not having that confidence in the Government which his hon. friend had, he was not prepared, until he knew what their course was to be, to delay placing the House in a position to proceed with the matter. He thought that the House expected, when that return was read by Mr. SPEAKER, that it was the duty of the Government to have at once objected to its reception, and had they done so, it would certainly have met with his (Mr. BOWELL'S) approval. He would have taken such a course himself but for the objection which he thought might possibly have been taken to it, and for that reason he had allowed the matter to remain until now. He intended to follow up this motion with another, to prove to the House that this LOUIS RIEL was the same LOUIS RIEL who was elected in 1872 and expelled from Parliament.

Hon. Mr. HOLTON said the step which the hon. gentleman proposed to take to-day, and which he said he did not intend to follow up with the other motion, in view of the declaration made by the Government, was an initial step. Now, it was sound doctrine, and the hon. leader of the Opposition would not dissent from it, that when the Ministry had announced their intention to take action in a matter in any way, whether in matters of privilege affecting the House, or matters affecting the country generally, it was the duty of the House to leave the initiative in their hands. Nobody was bound to accept their proposition, but the House was bound to wait the proposition which the Ministry had intimated their intention to lay before the House. As to time, he would point out that no time could possibly be lost by the hon. gentleman waiving the preliminary motion for the present. If he chose to proceed with it as a matter of privilege he could make a motion at any time for reading the Journals. The hon. gentleman had given notice of his intention to make another motion consequent upon this, and he surely would wait before submitting that motion to the House, to see what the action of the Government would be. Clearly by his own argument and by precedent he should wait. He could do so the more readily because as to the question of time it was quite impossible he could lose anything by pursuing that course.

Right Hon. Sir JOHN MACDONALD said he quite agreed with his hon. friend that, after the announcement of the Government which covered this motion

explicitly, the motion might not be pressed for the present.

Hon. Mr. HOLTON,—Yes, quite so.

Right Hon. Sir JOHN MACDONALD—I think, then, my hon. friend had better not press his motion, but let it stand as well as the next motion.

The motion was allowed to stand.

THE LEPINE COMMUTATION.

Mr. SPEAKER read a message from His Excellency the Governor-General, as follows:—

The Governor-General transmits for the information of the House of Commons, copies of a correspondence which has taken place with the Right Hon. the Secretary of State for the Colonies, relating to the commutation of the sentence of death passed on Ambroise Lepine for the murder of Thomas Scott at Fort Garry.

Government House,
February 8, 1875.

Mr. MASSON—Will this meet the motion I have made just now for all the papers?

Hon. Mr. MACKENZIE—I told the hon. gentleman that all the papers will be brought down. It does not meet all the hon. gentleman refers to.

Mr. MASSON—Do these papers contain the Judge's charge and the report of the trial?

Hon. Mr. MACKENZIE—They do not contain the report of the trial. I think we have the report of the trial and the Judge's charge, and, if so, there is no objection to bringing them down.

Mr. KIRKPATRICK—Do these papers include any Orders in Council that passed on the subject?

Hon. Mr. MACKENZIE—They include one Order in Council which relates to the troubles.

Mr. KIRKPATRICK—Does the return include any with regard to the commutation?

Hon. Mr. MACKENZIE—There is no such Order in Council.

REPORTS AND RETURNS.

Hon. Mr. LAIRD brought down the report of the Geological Survey for 1873-74.

Hon. Mr. VAIL brought down copies of all correspondence, reports and orders between the Militia authorities and the Militia, or any other department in reference to the military movements on the Niagara frontier in the year 1866.

On motion of Hon. Mr. MACKENZIE, the House adjourned at 4:30 p. m.

HOUSE OF COMMONS.

Tuesday, February 9th, 1875.

The SPEAKER took the chair at 3 o'clock p. m., and announced that the seat for the constituency of Berthier had been vacated by the appointment of A. H. PAQUETTE to the Senate, and that a new writ had been issued.

STANDING COMMITTEES.

Hon. Mr. MACKENZIE presented the report of the Select Committee appointed to prepare a list of members of the Standing Committees. He said that although it was somewhat irregular, he would, if no objection was taken, propose the adoption of the report without notice, in order that the Committees might get to work as soon as possible. The names proposed on the several Committees were very nearly the same as before, and if there were any omissions they could easily be supplied afterwards.—Report adopted.

MARINE TELEGRAPH COMPANIES.

Hon. Mr. MACKENZIE introduced a Bill entitled an Act to regulate the Construction and Maintenance of Marine Telegraph Companies. He explained that this was the same Bill, with very slight alterations, that was introduced last session by the hon. member for South Bruce (Mr. BLAKE), and carried through the House. The Government thought they ought to be responsible for such a Bill, and therefore it was now introduced as a Government measure. He had expected to have the Bill ready to lay before the House to-day, but it had not yet been received from the printers. On the second reading he would give full explanations as to the scope of the Bill, and to what had taken place during the recess in reference to it.

Sir JOHN A. MACDONALD said that he understood from the hon. gentleman that the Bill was the same in substance as that passed last session, the Government feeling it their duty to bring it in as a Government measure and take the responsibility of it. Still he understood that some alterations were proposed and it would be satisfactory for the House to know at the earliest possible moment what those alterations were. His hon. friend knew that the practice in England with regard to all public Bills, certainly with regard to Go-

vernment Bills, was for the introducer to explain the provisions of the Bill. That was the general rule, though there were exceptions to it. The benefit of this plan was that members were prepared when the Bill came up for the second reading to give due weight and considerations to the arguments of the introducer.

Hon. Mr. MACKENZIE said he quite admitted the general rule as stated by his honorable friend, but it was not always possible to follow it, and it was by no means a fixed rule. The only important change in this Bill was a clause providing for the reservation of any rights which might have been in existence with regard to landing cables on Prince Edward Island. The hon. gentleman was aware that there was a violent opposition to the Bill last Session on the part of one of the Telegraph Companies that profited by the existing state of things. It was asserted by Lord MONK, the Chairman of that Company, that vested rights were seriously interfered with by the Bill, and he was enabled by his personal influence in England to effect a very considerable diversion of public opinion in his favor. The Government had felt bound, therefore, to reserve the Bill for HER MAJESTY'S sanction, and the result was that the Law Officers and the COLONIAL SECRETARY decided the Bill was within the competency of our Parliament. He conceived it was to the interest and honor of this country that it should be enforced, and he had therefore informed his hon. friend from South Bruce that he would prefer taking charge of his Bill as a Government measure, in order that it might have the influence of the Government in passing through the House, and in order also that the Government might assume with respect to it their proper responsibility.

Bill read a first time.

REPEAL OF CHAP. 147, N. S. STATUTES.

Hon. Mr. FOURNIER introduced a Bill intituled "An Act to repeal certain provisions of an Act of the Legislature of Nova Scotia." He explained that the object of the Bill was to repeal the first ten sections of Chapter 147 of the Revised Statutes of Nova Scotia, (Third Series,) relating to offences, trespasses and assaults, and felonies committed by persons under fourteen years of age. These provisions had not by inadvertence been repealed by the Criminal Law of 1869, and the Nova Scotia Legislature was not competent to deal with them. The object of the Bill was to repeal them, so that all such offences would come under the provisions of the general criminal law of 1869.

Hon. M. FOURNIER répète en français ce qu'il vient de dire en anglais. Le bill qu'il introduit est pour rappeler le 147me chapitre des statuts revisés de la Nouvelle-Ecosse qui se trouve en contradiction avec la législation fédérale de 1869.

MILITIA AMENDMENT ACT.

Hon Mr. VAIL introduced a Bill to amend the Dominion Militia and Defence Acts. He stated that during the recess the Government had been fortunate in procuring the services of a gentleman of high rank in the Imperial service, and who had great experience in the management of the Militia in other parts of the Empire, and the object of this Bill was to make such changes as were necessary in order to place the Militia of the Dominion under the control of the Major-General. It was also proposed to provide for the appointment of an Adjutant General and to do away with Deputy Adjutants General for the present. These were the only changes proposed.

Bill read a first time.

FOREIGN ENLISTMENT ACT.

Hon. Mr. FOURNIER introduced a Bill intituled, "An Act to prevent enlistment in the services of any Foreign State in certain cases not provided for by the Foreign Enlistment Act, 1870." He explained that the principal object of the Bill was to provide complete and absolute prohibition of enlistment in the service of a foreign State, under any circumstances, covering certain cases to which the Act of 1870 did not apply. The punishment proposed for violation of the Act was not to exceed two years' imprisonment, with or without hard labour, at the discretion of the Court, and a fine not exceeding $200.

Hon. M. FOURNIER répète ses remarques en français en introduisant son bill relatif aux enrôlements. La loi de 1865 ne s'applique qu'aux cas d'une guerre entre deux pays et non pas à certaines parties d'un pays en guerre entre elles ou avec d'autres pays, et reconnues comme

belle-gérantes. Il aurait été convenable d'introduire les dispositions du nouveau Bill dans la loi de 1865. Mais il importe de le faire aujourd'hui surtout afin de rendre uniforme la législation sur ce sujet pour les diverses provinces, dont les unes suivent la législation impériale. La nouvelle loi produira dont l'uniformité désirable dans ces matières. Un changement important est introduit par le Bill que je présente. La loi actuelle semble trop rigoureuse lorsqu'elle impose sans alternative une punition de deux ans aux travaux forcés et une amende de $200. La loi telle que modifiée laissera au juge la discrétion de prononcer la sentence de deux ans d'emprisonnement avec ou sans les travaux forcés, plus une pénalité n'excèdant pas $200.

MINISTERIAL EXPLANATION.

Hon. Mr. MACKENZIE said—Mr. SPEAKER,—Before proceeding with the orders of the day, I desire to offer a few words in explanation of the Ministerial changes that have taken place, which I promised on Friday. With reference to the withdrawal of my hon. friend the member for South Bruce from the Government, I have merely to state that his withdrawal was not caused by any change of policy or any difference of opinion as to the policy of the Government, but was dictated solely by considerations personal to the hon. gentleman himself, and does not therefore require to be further alluded to, unless it were to express my own great regret, as well as that of all my colleagues, that my hon. friend did not feel it consistent with his engagements otherwise to continue with us in the Government. I am sure that regret will be shared by gentlemen on both sides of the House. With reference to the other change that took place, prior to the meeting of the House last year, that of the introduction into the Government of Mr. HUNTINGTON as member of the Council and the retirement of Mr. CHRISTIE. Mr. CHRISTIE retired on being appointed President of the Senate, and Mr. HUNTINGTON was invited to join the Administration, as being a gentleman in entire harmony with the Government on its general policy. He accepted that invitation and became a member of the Administration. The chief explanation that I desire to offer to-day is with respect to my hon. friend the late Minister of Justice, who now occupies the post of Chief Justice of Quebec. That hon. gentleman was attacked very severely by the organs of hon. gentlemen opposite, which urged in defence of their attacks, a conversation that had passed across the floor of the House. When the hon. gentleman leading the Opposition accused my hon. friend, then seated beside me, of having in view his elevation to the position of Chief Justice of Quebec, he answered promptly that such a thing had never been contemplated. That, sir, was strictly accurate. It never had been spoken of between the hon. gentleman and myself. On the contrary, knowing that the office would have to be filled very shortly, Mr. DORION suggested to myself three names, some time before that conversation took place, from which he thought the selection ought to be made. After Parliament rose, many friends of the hon. gentleman, and friends of my own, prominent in political life, pressed upon me that it would not only be just and proper, but also in the interest of the judiciary of Lower Canada, that Mr. DORION should receive the offer of this appointment, and a hope was expressed that he would accept it. I never did make that offer to the hon. gentleman until he was gazetted as Chief-Justice, and when I made the offer, he at first declined it, expressing an unwillingness to leave the Government at so early a period after his accession to the Administration ; but after taking twenty-four hours to consider that, and consulting with his friends, the hon. gentleman accepted that office, and I am sure no one, and not the hon. gentleman himself, who sat long with the Chief Justice in Parliament, would for one moment think that that gentleman would be guilty of uttering anything that looked even like an improper remark, far less an evasion of the truth. Sir, while I felt great pain in separating from that hon. gentleman as my chief colleague in the Administration, I felt also it was due to him above all other men in this country that he should receive the offer of the chief Judiciary appointment in his native Province, and I am sure all sides of political opinion will join with me in congratulating the country upon his accession to that position. I felt bound, Sir, in these very few remarks, to justify my hon. friend who is not here, and who cannot be here to speak for him-

self, and place before the House and the country the real facts in relation to his appointment. The other change that has taken place since then was simply the retirement of Mr. Ross from the position of Minister of Militia, and upon his resignation I offered that post to the present member for Digby, which offer he has accepted. That did not involve any change in any way whatever in the policy or in the opinions of the Administration. I shall be glad if anything further is required that can fairly be asked, to offer to hon. gentlemen opposite and the House the very fullest information that it is proper to give.

Right Hon. Sir JOHN MACDONALD said with reference to the Hon. Mr. DORION, the present Chief Justice of Lower Canada, he could only say he deeply regretted that there should be, even in appearance, a want of ingenuousness in his statement to this House. At the time he (SIR JOHN) ventured in this House to state what was the very general impression, he did not do it until after hearing from many sources that Mr. DORION was about to take the position of Chief Justice, and that he was only waiting, as he had a right to wait, until the close of the session before retiring from the Government. He (SIR JOHN) had heard that friends from Montreal had come to Ottawa to press upon Mr. DORION to accept it, and that while he did not announce to them that he was going to take a judicial appointment, it was generally understood he was going to accept the position referred to. Hon gentlemen would remember that he (SIR JOHN) said, in answer to Mr. DORION'S statement, that he did not contemplate accepting a judicial appointment, that the *Gazette* would show within a fortnight or three weeks whether the report was correct or not. And so it did, for the appointment was gazetted very soon after the close of the session, showing that if the change was not in contemplation when he (SIR JOHN) spoke, it was immediately afterward. However, after the statement just made, he had nothing more to say. Hon. Mr. DORION was a gentleman who had always held a high position and a high character in Canada, and he had no doubt would keep it, but while he regarded him as an ornament to the bench of Lower Canada, he was bound, in all candour, to say he was disappointed in Mr. DORION'S taking the position of Chief Justice. If he had accepted instead, after duly weighing his abilities and disabilities, the Chief Justiceship of the Superior Court, he would have been of much more value than as Chief Justice of Lower Canada. After his long experience in Canada, he had shown that he never paid any attention to criminal law, and never sufficient attention to commercial law. In the Superior Court he would have distinguished himself much better than as chief of a criminal court. Still, he did not say that Mr. DORION, with his abilities and legal and logical mind, would not make a good Chief Justice, and do credit to the position he filled. He thought the explanations with regard to the hon. member for South Bruce were not satisfactory, and he would tell the reason why. It was a matter of very grave importance when a member of Parliament entered an administration, and it was of no less importance when he retired from it. Indeed, the latter was of even graver importance. If the private affairs of a member of Parliament prevent him from accepting office, no one has a right to question the matter. That rests between his friends and party, and himself, but when an hon. gentleman accepts office, it is a matter of very grave consideration to him, and for which he should be held responsible when he retires. After having put his hand to the plough, there should be good reasons for letting it go. Now, there was a peculiarity in this case, and he spoke with a sincere desire that this question should be considered from a constitutional point of view, and without any reference to individuals, but simply to principle. This House would remember, and the country knew that the hon. member for South Bruce, when he entered the Government, very greatly strengthened it. The character he had in the House and the country entitled him to a high position, and he could have selected for himself any position in the Government, except, of course, the leadership, which was in the hands of the GOVERNOR GENERAL. The hon. gentleman did give strength to the Cabinet, and, on the strength of a MACKENZIE-BLAKE administration the Government went to the country, and he verily believed that a considerable proportion of the numerical strength and support of this Government was gained

by the announcement that the name of the hon. member for South Bruce was included in the administration. If there were any private reasons that would induce him to leave the Government so speedily after the elections, those reasons, it would seem, ought to have been sufficient to prevent him from entering it. But it was really not fair to appeal to the people with one Administration—with one leading man in it, with one man whose name would give confidence to the country and strength to the Government—and, when the elections are over, and the object of taking that leading man into the Cabinet apparently has been obtained, to drop him. It was a sort of false pretence—he spoke in no way offensively—that the Administration which went to the people was not the same which met Parliament in this House. Everyone knew what lawyers termed the principle of "selling by sample." The Administration goes to the country and asks—"Will you buy this article. Here is an excellent article, and one of the strongest claims of this cloth to the good housewife is that there is a strong fibre in it, coming all the way from South Bruce?" And when the people of this country, believing this to be a good kind of cloth, that would stand sun and wind or anything else—when they found that fibre drawn from it immediately after purchasing, it seemed—as the hon. member for South Bruce would observe—that the Government had been guilty of selling under false pretences, and the people would say, "Here we have had pawned off upon us the old brown stuff." Now, he thought the hon. gentleman for South Bruce ought not to have lent himself to this deception. Under the principle of constitutional law, as in private law, a bargain of that kind was not a fair one; but he would say no more upon that point. Then, with regard to the change in Nova Scotia, he could only congratulate the House on getting the services of the hon. member for Digby. He had no doubt the hon. gentleman's previous warlike experience would be of service. He had no doubt the hon. gentleman had accepted office with the greatest diffidence, in view of the great abilities of his predecessor. However, the hon. gentleman's experience and capacity would, no doubt, enable him to distinguish himself as much as his predecessor, the former Minister of Militia. It certainly was a great compliment to the hon. gentleman from Digby that he should be selected to enter the Administration. He (Sir JOHN) did think that there might have been found among the hon. members from Nova Scotia one who would be fitted to fill the office of Minister of Militia—one possessing abilities equal to the late Minister, and almost equal to the present Minister. But the hon. leader of the Government did not appear to think so, and evidently was of the impression that he had selected all the standards and left all the culls when he formed his Cabinet, and that he must go to fresh fields and pastures new for another Minister of Militia. He (Sir JOHN) congratulated the hon. gentleman from Digby, and had no doubt that under him the Militia force would grow and increase in efficiency and numbers—he hoped not too much in expense. By the way, he noticed by the Bill introduced by the hon. Minister of Militia that Major Generals were to be of considerable importance. He directed the attention of the hon. member for Cheateauguay to this feature of the Bill, and he would like to ask him whether he thought the relations of Canada with the nations of the world were in such a condition as to require Major Generals in larger force. He had no further remarks to make on this point, but really he thought, in all seriousness, it would be well that there should be a full discussion upon the fact of the hon. member for South Bruce having accepted a position in the Government, holding office without a portfolio, and being a confidential adviser before the elections, and immediately after the elections retiring from the Government.

Hon. Mr. MACKENZIE said the observations of the hon. gentleman scarcely called for any reply, nor were they intended to evoke any reply. With reference to the connection of the hon. member for South Bruce with the Government, he might say that it was not unnatural for an Administration to strengthen themselves as far as possible, especially against such a formidable combination as they had been obliged to face.

Right Hon. Sir JOHN MACDONALD—But what about the false pretenses?

Hon. Mr. MACKENZIE—There is no false pretenses in the matter on our side. If the hon. gentleman is judging from

a sample, I fear it is from a sample on the other side.

Hon. Mr. MITCHELL said the Premier had accepted the position in which the Right Hon. member for Kingston had placed him—that the object of taking the hon. member for South Bruce into the Government was to strengthen it for the purpose of facing the electors. Now, the morality of such a thing was questionable.

Hon. Mr. BLAKE said the House would, no doubt, be disposed to listen to two such worthy exponents of public morality as the hon. members for Kingston and Northumberland. He (Mr. BLAKE) had been accused of being something like a legal fraud. All he had to say was that when he went to the country with his friends, he addressed a great many of his fellow-countrymen, and he acquainted them at an early day—and among them his own constituents—with the fact, which was public property so far as such a thing could fairly be public property, that his connection with the Administration, from circumstances beyond his own control, was of a temporary character. He did not permit, them, so far as his utterances could prevent it, to entertain the idea that he had joined the Administration under circumstances which enabled him to continue any time with them.

INTERNAL MANAGEMENT OF THE HOUSE.

Mr. SPEAKER read a message from HIS EXCELLENCY the GOVERNOR GENERAL, signed by his own hand, announcing the appointment of the Hon. ALEXANDER MACKENZIE, Minister of Public Works, the Hon. TELESPHORE FOURNIER, Minister of Justice, the Hon. ISAAC BURPEE, Minister of Customs, the Hon. THOMAS COFFIN, Receiver-General, and Mr. SPEAKER, as Commissioners for the Internal Economy of the House of Commons and for other purposes.

THE LEPINE COMMUTATION.

Right Hon. Sir JOHN MACDONALD before the orders of the day were called, inquired if the despatches promised yesterday by the First Minister, containing the correspondence with the Imperial authorities on the LEPINE commutation, had been distributed.

Hon. Mr. MACKENZIE said the printers had promised to have them distributed to-day by 3 o'clock, and he understood that some of them were already in the hands of members.

DRILL SHED AT TORONTO.

Mr. WILKES inquired whether the Government purposed to place in the Estimates a sum of money sufficient to erect a suitable armoury and drill-shed for the use of the volunteer force in the City of Toronto, the Corporation having set apart a site for such building.

Hon. Mr. VAIL said the matter was commanding the consideration of the Government. Providing a Drill Shed and Armouries involved considerable expense, and on this ground it would probably be a few days before he would be able to give his hon. friend the necessary information.

ADJOURNMENT.

Hon. Mr. MACKENZIE moved that when the House adjourns to-day it do stand adjourned until Thursday at three o'clock in the afternoon.—Carried.

The House adjourned at four o'clock.

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HOUSE OF COMMONS,

Thursday, February 11th, 1875.

The SPEAKER took the chair at 3 p.m.

PRINTING COMMITTEE.

Mr. ROSS (Middlesex) moved, That a Message be sent to the Senate, requesting that their Honours will unite with this House in the formation of a Joint Committee of both Houses, on the subject of printing.—Carried.

PUBLIC ACCOUNTS.

Mr. YOUNG moved, That the Public Accounts for the Dominion of Canada, for the year ending 30th June, 1874, and the statement of unforeseen expenses, be referred to the Select Standing Committee on Public Accounts.—Carried.

RAILWAY ACT.

Mr. OLIVER moved for leave to introduce a Bill intituled "An Act to amend the General Railway Act." He explained that this Bill was similar to the one he introduced last session on the same subject, and stated that when it was printed he would fully explain it, if any explanations were then desired.

Right Hon. Sir JOHN A. MACDONALD observed that if they waited till the Bill was printed for explanations, they would then, in all probability, be unnecessary, as no doubt the Bill would be framed in a sufficiently perspicuous manner as to explain itself. It would be better to explain briefly its provisions now, so that the House might be prepared to deal with it when it came up for a second reading.

Mr. OLIVER said that as an explanation was requested at the present stage, he would state that for a long time people living at points where there was no railway competition had suffered great injustice. He could best illustrate this and explain the object of this Bill by stating the position they occupied in his own section of the country. The freight charged on goods from London to Hamilton, Toronto, or the American markets was considerably less than it was from a point fifty miles nearer the destination, when there was no competition. It was the same with regard to passenger rates. It was to remedy this injustice that he had introduced this Bill, the principal provision of which was that when a railway company made a reduction or an increase in their rate, that reduction or increase should apply to all points on the railway. This, he considered, was a just provision, and he had no doubt when the Bill came up for a second reading it would receive the support of a large majority of the House.

Bill read a first time.

REGULATION OF RAILWAY TRAFFIC.

Mr. IRVING moved for leave to introduce a Bill intituled "An Act for the more effectual protection of carriers by land, and for the regulation of traffic throughout the Dominion." The object of the Bill, he might briefly explain, was, if possible, to change the present unsatisfactory condition of the law with respect to carriers by land, and put them on the same footing as they had occupied in England during the last twenty years. In Ontario the Judges had several times exclaimed against the present system, whereby carriers on improper occasions exonerated themselves from all liability. He had seen occasionally notices in the newspapers of the Province of Quebec to the same effect. He therefore thought there was good reason for legislation on the subject. The Dominion Parliament, three or four years ago, made an attempt to legislate thereon but legislated ineffectually. An amendment to the General Railway Law was passed by the House, stating that the railway companies should not thereafter take advantage of notices or conditions to save themselves from the results of negligence, but when that law came to be tested in the Courts of Ontario, the Judges ruled that it did not apply to the Act which it proposed to amend—namely, the General Railway Act. The Dominion Board of Trade, composed of merchants who had felt the grievance, were favourable to legislation on the subject. The Bill which he proposed to introduce, and which he thought would receive the favourable consideration of every one interested in the commerce of the country, was divided into two branches. First, it introduced what was called in England the Carriers' Act, which was a very great boon to carriers in that it prevented them from being made liable beyond a certain sum for goods in respect to which they had no knowledge. Secondly, it provided that no special contracts or conditions should be made or set up by carriers to clear themselves from the results of their own neglect, unless the Judge who tried the case should certify that they were just and reasonable. That was a very proper protection, and it could not be exercised capriciously or unjustly, inasmuch as the judgment of the court was subject to appeal, and in England it had now been systematised to being a pretty well understood rule.

The Bill was read a first time.

CRUELTY TO ANIMALS DURING TRANSIT.

Mr. CHARLTON moved for leave to introduce a bill intituled "An Act to prevent cruelty to animals while in transit by railway or other means of communication throughout the Dominion."

The Bill was read a first time.

THE CONSTITUTION OF STANDING COMMITTEES.

Hon. Mr. HOLTON moved certain changes in the Constitution of the Standing Committees of the House.

After a conversation, the following changes and additions were made: Mr. IRVING was struck off the Committee on

Public Accounts and Mr. WOOD substituted therefor. Messrs. IRVING, YOUNG, D. A. MACDONALD, DEVLIN, CIMON, and DESJARDINS were added to the Committee on Banking and Commerce. Messrs. WILKES, OUIMET and CARON were added to the Committee on Public Accounts; and Messrs. PLUMB and SHIBLEY to the Committee on Railways and Telegraphs.

MESSAGE FROM HIS EXCELLENCY.

Hon. Mr. MACKENZIE brought down a message from HIS EXCELLENCY the GOVERNOR-GENERAL, acknowledging the receipt of the Address in reply to the Speech from the Throne.

THE CRIMINAL LAW AMENDMENT ACT.

Mr. IRVING (Hamilton) introduced a Bill intituled, "An Act to Repeal the Act amending the Criminal Law relating to violence, threats and molestations." He said this subject was before Parliament last Session, when a Select Committee was appointed on the subject. They reported that the present condition of the law was unsatisfactory, but they recommended that legislation should not take place until the subject had been dealt with by the Imperial Parliament; it then having been understood that a Royal Commission was appointed to investigate it. That Royal Commission had not reported either to the satisfaction of persons affected by the Act in England, or persons whom it affected in this country. The law was considered obnoxious to numbers of his own constituents, and also to constituents of his hon. friend from West Toronto, who fearing that the subject might be shelved in England, desired that the matter should be brought before Parliament this Session. They desired the abrogation of a law obnoxious to them, leaving it to this House to introduce such subsequent legislation as, by the aid of the Imperial Parliament, might be deemed necessary.

The Bill was read a first time.

POSTAL DELIVERY.

Mr. IRVING asked whether it is the intention of the Government to establish at an early period a system of free delivery of letters and postal matter in the cities of the Dominion, in the same manner as that now in force in Montreal?

Hon. D. A. MACDONALD—It is the intention of the Government to establish free delivery, with the exception of two or three of the smallest cities of the Dominion.

NEWSPAPER POSTAGE.

Mr. IRVING asked whether it is the intention of the Government to modify or abolish postal charges upon newspapers published in the Dominion?

Hon. D. A. MACDONALD—It is the intention of the Government to bring in a Bill on the subject, reducing the postage on newspapers.

PUBLIC WORKS ON THE SAGUENAY.

Mr CIMON asked whether it is the intention of the Government to cause to be executed in the River Saguenay, at the place where it is called *Bras de Chicoutimi*, the works necessary to enable vessels to reach Chicoutimi in all states of the tide?

Hon. Mr. MACKENZIE—It is quite impossible for me to answer so general a question. I cannot understand what the works the hon. gentleman refers to mean. If he will be kind enough to put it in a more specific form, I will be glad to give an answer at a future day.

SUBSIDIES TO RAILROADS.

Mr. CIMON asked whether it is the intention of the Government to promote in the Dominion of Canada, by means of subsidies, the construction of those lines of Railway which receive grants from the Local Legislatures?

Hon. Mr. MACKENZIE—It is not the intention of the Government to subsidize such lines.

DOMINION NOTES.

Mr. F. MACKENZIE asked whether it is the intention of the Government to replace by a new issue the worn and soiled Dominion Notes.

Hon. Mr. CARTWRIGHT—So far as the small note circulation in the city of Montreal is concerned, instructions have been issued to the Deputy Receiver General in that city not to allow any such notes to go into circulation, and also to exchange any notes worn and soiled which may be presented to him by banks or individuals for clean fresh notes. As regards other places throughout the Dominion, an

arrangement is being made which will, I hope, obviate the inconvenience complained of.

CORRECTION OF HANSARD REPORTS.

The Orders of the Day having been called,

Mr. MASSON said he desired to call the attention of the Printing Committee to a subject in connection with the printing of the Official Report of the debates, which was of great importance, seeing that this report would be regarded as an authoritative one for all time. He referred to the necessity of providing some means whereby any mistakes that might be made could be corrected. He fully appreciated the difficult and onerous duties which devolved upon the short-hand-writers, and as regards himself he had only a trifling error or two to complain of, but it was as well to provide for correcting mistakes, as more serious errors might occur in the future. He had been made to say in the Hansard report—"Notwithstanding the humiliation that he will have to bear, whether he remains patriot in his country or an exile forever;" whereas what he did say was—"Whether he remains a Pariah in his country." Then he held that when an interruption was made to a speaker that interruption should be reported, or otherwise the remarks which would follow would not have their full force and meaning. For instance he was reported to have said,—"Notwithstanding the verdict of a packed jury—I hold myself responsible for every word I say." That expression standing alone appeared like boasting. He had said, "I hold myself responsible for every word I say," because some members of the House had cried, "no, no," and "hear, hear." These were small mistakes, and he probably would not have called attention to them were it not to suggest the necessity of providing some means whereby mistakes which might occur might be corrected before the reports were distributed.

Hon. Mr. MACKENZIE said it would be remembered that this matter was referred to the Printing Committee which was not yet organized. As soon as they met they would no doubt submit some regulations respecting the correction of speeches. The practice in England had been to allow verbal corrections, but no interpolations. He did not make any suggestion to the Committee, but he had no doubt they would bring the matter before the House at the earliest possible moment.

Mr. ROSS (Middlesex) said his attention had been called to some typographical errors in the report, but no regulations could be made until the Committee met. All that so far had been done was to agree that the speeches should be printed, so far as was necessary, in order to comply with the terms of the contract, and at the same time be condensed in such a manner as not to destroy the meaning of any speech. No doubt when the Committee met they would take the matter into consideration, and he hoped that in the future there would be no cause for complaint.

THE NORTH-WEST TROUBLES.

Hon. Mr. MACKENZIE said he rose with great willingness in one sense, and a good deal of tremor in another sense, to move the resolution of which he had given notice respecting the granting of an amnesty for acts committed during the troubles in the North-West. He hoped to be able to justify to the House the course which the Government had pursued in this matter, as he did not doubt he would be able to justify it to the country. He was quite aware that there were certain parties who might endeavour for political and party purposes to make capital out of the existing events, and so far as that was legitimately done he had no reason to complain. He expected no exemption from ordinary criticism, and he was quite prepared to defend the motives and the action of the Government in everything that they brought before the House. They had at present to deal with an exceptional state of affairs—one that perhaps might not arise again in the lifetime of any of the members—and that state of affairs had been brought about by no action of the present Government, or of a single member of it, or of a single member of the great Party which he was privileged to lead in this House. But for all that the Government, as a Government, had a duty to perform. There might be frequent changes of administration in the country, but the Government always exists, and is bound to carry on the affairs of the country consistently with those principles of honor and national character which bind every Administra

tion, no matter of what Party they may be composed. When the events took place in the North-West, which had given rise to the discussion preceding this motion, and which furnished the necessity for this motion at the present time, the right hon. gentleman opposite had taken certain steps in reference to the acquisition of the North-West, and to the organisation of its Government, which were not sanctioned by the then comparatively small party in this House—the Liberal party. That party then held that the measures that were being taken by the Government for organizing that territory, were such as were sure to produce a certain measure of discontent. He did not allege that as a justification for succeeding events, because he considered that no mere act or fault on the part of the Government of the day could have justified the insurrection and its consequences. But while the thing might not be justified, there might be palliations afforded by circumstances which they were bound to consider, and in the consideration of this motion, he was bound to refer to the provocation which the people in the North-West Territory had received for resisting what they considered a grievous act on the part of the Government of this country. So far as that resistance was of a peaceful and not violent kind, he confessed he had himself some sympathy with them; and he also confessed that had their acts been confined to expressing a strong sense of their indignation at certain things that were done, they would have found, perhaps, a very general response in the hearts of members of the then House, as they would have found in the present House, but these acts were followed up by acts of lawless violence—acts which he had previously characterized in this House, and which he did not hesitate now to characterise as he had then done—acts entirely at variance with all that seemed to him right—acts of cruelty and wrong which he did not at this moment desire at all to palliate. But succeeding events had changed very materially the relations of that people to the people of this country, and to the Government of the Dominion — it was supposed by many—he did not say it was the case, because he never could believe that it could be so. It was believed by many, and said by some in this House, that there was a preconcerted arrangement with the then Administration as to certain events whch took place; but up to the time that Committee met on the North-West difficulties last session, we had no detailed account of events in anything like consecutive order; nor had we a revelation of the private correspondence which was ultimately produced upon that day in order to express more fully the motives as well as the actions of those who ruled here, and of those whom they sent to represent them there. That revelation was sufficiently complete for the purpose of an ultimate decision being arrived at when that Committee rose. The late Administration referred the whole subject, on the 4th June, 1873, to the Imperial Government, representing that it was the best qualified to deal with this question of amnesty. Lord KIMBERLEY, in his reply, combatted this idea, but accepted the responsibility of granting the amnesty, provided that no action would be taken until the precise course to be pursued by the Dominion authorities was made known. This was the last action of an official nature by the late Government, and when the present Administration consented to the motion of the hon. the member for Selkirk for a committee of enquiry, it was with the view of obtaining all the information possible in order to enable them to arrive at a proper decision in the premises. He had not himself been able, from the pressure of the business of the House, to give any attention to the deliberations of the Committee during the session, and except from occasional scraps of conversation, he was not able to obtain what had really been done during the sitting. When the entire evidence was printed, however, it became tolerably clear that nothing was more natural than that the Imperial Government should obtain a copy of the testimony as early as possible, and that they should again be solicited to pass judgment upon the case with the whole of the facts before them. This course the present Administration took, and as would be seen by the Order in Council which was before the House, they again called the attention of the Imperial Government to the subject. The answer to that communication was practically given in Lord CARNARVON'S despatch in which there were several points that he

would now desire to call the attention of the House to—not perhaps in their proper consecutive order, but in such a way as to lay the whole subject before the House as shortly, and at the same time, as fairly as possible. He believed there was no necessity for any lengthened exposition of the matter, and besides he was afraid that his voice would fail him before he got through. The first step he conceived to have been wrong on the part of the late Administration was the recognition of the authority of the insurrectionary party of Manitoba. That authority once recognized, the Government was placed in the difficulty he foresaw at the time, and to which he called the attention of the right hon. member for Kingston at the time. It would be remembered that he then asked the right hon. gentleman if the Government intended to recognize the delegates, and was told in reply that the Government were bound to hear the expression of opinion of any one who came from that country, but they need not formally recognize them as coming from the Provisional Government. He found, however, that they had given this recognition, and we had the fact laid before us in the letter of the late Hon. Mr. HOWE, addressed to Father RICHOT, Mr. JOHN BLACK and Mr. ALFRED SCOTT, as follows:—

"OTTAWA, April 26th, 1870.

"GENTLEMEN,—I have to acknowledge the "receipt of your letter of the 22nd instant, "stating that as delegates from the North-West "to the Government of the Dominion of Can- "ada, you are desirous of having an early audi- "ence with the Government, and am to inform "you in reply that the Hon. Sir JOHN A. MAC- "DONALD and Sir GEO. ET. CARTIER have been "authorized by the Government to confer with "you on the subject of your mission, and will "be ready to receive you at eleven o'clock.

"I have the honor to be,

"Gentlemen,

"Your most obdt. servant,

"(Signed,) JOSEPH HOWE."

Not only was the existence of the Provisional Government recognized in this matter, but it was an absolute fact that the authority of RIEL himself as Governor of the territory, was also acknowledged, if we were to believe the evidence set before us. There was no reason to doubt the entire truthfulness of the ARCHBISHOP in giving his evidence. In the first place because of his high ecclesiastical position and personal character, and in the second place because there was no motive to justify any misrepresentation upon the subject. The ARCHBISHOP said, as will be found on page 77 of the blue book:—

"I then asked Sir GEORGE who was to govern the country, pending the arrival of the Lieut. Governor, and if he was to name somebody to do so. He answered, "No, let Mr. RIEL con- "tinue to maintain order and govern the coun- "try as he has done up to the present moment."

Right Hon. Sir JOHN MACDONALD enquired what the date of the interview was?

Hon. Mr. MACKENZIE said it was the 28th May, at all events the date was a small matter, as the circumstance referred to took place after the military expedition had been determined upon, and in the interval between the starting of the expedition and the assumption of temporary authority by General WOLSELY, pending the arrival of Governor ARCHIBALD. The evidence goes on to say:—

"He asked me if I thought that RIEL was sufficiently powerful to maintain order. I said I thought he was. Then he answered, "Let "him continue till the Governor arrives." He also inquired whether Mr. RIEL would require that the Governor should take authority as his successor. I answered that he would not; that his Government was only a provisional one, and that he would immediately withdraw when the representative of HER MAJESTY arrived. "Very "well," said Sir GEORGE; "let him be at the "head of his people to receive the Governor."

This gentleman who had usurped authority, and whom the right hon. gentleman opposite some years after this was exceedingly anxious to catch, was apparently duly authorized by Sir GEORGE CARTIER to continue the administration of the affairs of the country as Governor, and was asked through the ARCHBISHOP to meet the new Governor and receive him at the head of his people. The House might be told, and he had no doubt would be told, that Sir GEORGE CARTIER, who unfortunately was not here, had no authority to speak on behalf of the Administration. In order to place this beyond dispute, we had only to refer to Sir JOHN MACDONALD'S own evidence. He said that the correspondence relating to the North-West, of a confidential and inconfidential character, were carried on with Sir JOHN himself until his illness, after which they were carried on with Sir GEORGE CARTIER. During the examination before the Committee, it transpired that there was a private memoranda written by Sir GEORGE CARTIER, and

signed by HIS EXCELLENCY, in regard to which the right hon. member for Kingston had addressed HIS EXCELLENCY, suggesting that it might be published. In reply, he received a communication from HIS EXCELLENCY, in which the passage occurs :—

"As, however, Sir GEORGE is dead, and as he drew up the memorandum in question in his capacity of acting Minister of Justice, and as your *locum tenens* during your absence and illness, I believe I shall be acting in accordance with the rule recognized under such circumstances, in granting the permission you seek, to have the document in question communicated to the Committee, for which I have therefore given the necessary directions."

That clearly disposes of two points—in the first place that there was an actual recognition of a *de facto* Government. Lord CARNARVON tells us that there can be no such thing as a recognition of a *de facto* Government within HER MAJESTY'S dominions. Technically, perhaps constitutionally, this may be right; still it is not to be denied that these people exercised authority, and were the *de facto* Government of the country, although legally and constitutionally they had no right to appear there in that character. But they found the Administration, who were responsible for the peace of the country, acknowledging the existence of this Government by, in the first place, formally recognizing their delegates and conferring with them; and, secondly, by the acting PREMIER actually giving directions that the President of the Provisional Government should hand over his authority in person to the LIEUTENANT-GOVERNOR when he should reach that country. Now, it was tolerably evident that when these transactions were occurring—he meant these conversations with Sir GEORGE CARTIER and ARCHBISHOP TACHE—it was quite evident that everything connected with the death of SCOTT was perfectly known and understood; the responsibility for it could not be shifted, none of the incidents connected with the tragic death of SCOTT could be changed for a moment, and Sir GEORGE CARTIER, during this time, was acting with the perfect understanding that this matter had to come up sooner or later. Now, they found, as one of the next incidents, that promises of amnesty were given most profusely. It was true that Lord CARNARVON and HIS EXCELLENCY in his despatches both asserted that there was no proof in these documents of "promise of amnesty having been made—an absolute promise, either by HER MAJESTY'S Imperial representative or those acting for him here." Now, while this was technically true to some extent perhaps—it was true so far as Sir JOHN YOUNG was concerned—it was a mere evasion of the truth to say no promise was made in any quarter that an amnesty was to be given. The evidence in this point was so abundant that he would be under the necessity of reading extracts from it, in order to lay the exact facts before the House. Now, one word before proceeding to read the evidence of promises made by gentlemen administering the Government. It was quite true what was said in the Imperial despatch of HIS EXCELLENCY that such promises would not bind the Imperial Government, but he (Mr. MACKENZIE) conceived it was not to be said that promises made in this matter by the previous Administration, sustained by the previous Parliament, must not command a certain amount of respect from the present Administration and the present Parliament. On the contrary, he thought they were bound, as HIS EXCELLENCY EARL DUFFERIN laid down, to consider these promises. He would paraphrase the passage from the blue book: "We are bound to consider all such promises; not to have them made binding upon the House merely in a technical sense, but to give them a fair and literal interpretation." This Government was equally responsible, in one sense, for the conclusion of present affairs, with the Imperial Government, and this Government was bound from its knowledge of the local circumstances when perhaps the Imperial Government would not feel itself so bound. He would feel, therefore, under the necessity of proceeding to quote from the evidence laid before the House in the blue book. Bishop TACHE left Rome early in January at the instance of the Dominion Government, in order to proceed on a mission of pacification to the North-West. He left unwillingly, because he considered he had not been very kindly treated on his way from that country to the East at the time when the disturbances were anticipated, but had not actually broken out. Bishop TACHE in his evidence before the North-West Committee, published in page 39 of the blue book, says :—

"In my conversation with him I questioned Sir GEORGE CARTIER about Father RICHOT's report. I stated as fully as possible what Father RICHOT had told me, and Sir GEORGE CARTIER said that is exactly what has taken place. Directly afterwards I said to Sir GEORGE CARTIER, that Father RICHOT had stated to me that when he was with the delegates of the Government, Sir JOHN A. MACDONALD and Sir GEORGE CARTIER, who had been appointed to negotiate with the delegates of the North-west, he brought forward the 19th clause of the Bill of Rights, and stated it was the *sine qua non* of an agreement between them and the Canadian Government. The delegates of the Government answered the North-west delegates, that the thing would be settled afterwards, and that it was the privilege of HER MAJESTY the QUEEN, and not for the Canadian Government to grant an amnesty. The delegates of the Provisional Government replied, "We are come to treat "with you, and are to decide with you what "course is to be taken." Then Sir GEORGE CARTIER or Sir JOHN A. MACDONALD said: "We will show you how to proceed to obtain "what you require." "No," replied Mr. RICHOT, "I am to deal with nobody but you. "If you are not in a position to decide the whole "matter, I will go home. I came to settle the "difficulty with the Government, and having "received my instructions, I cannot proceed "except the proposals are in accordance with "the instructions I have received." Then the delegates of the Government answered Mr. RICHOT and the other delegates of the North-west, that they were in a positiou to guarantee the granting of an amnesty, and to assure them that the amnesty would be proclaimed, and would reach the country before they did. They further said that they would wait till the passing of the bill they were going to prepare, before they made the proclamation.

"The delegates from the North-West considered there was nothing further to be done upon this point. That is what I reported to Sir GEORGE as having been the statement of Father RICHOT to the people of Manitoba. Sir GEORGE said: "That is true; the thing has not "been changed. We are waiting for the pro-"clamation every day, and if you remain for a "few weeks, it will arrive before you leave."

He proceeds:

"Sir GEORGE CARTIER was in Montreal, and Sir JOHN A. MACDONALD was sick and could not attend to business. So next morning I started for Montreal, where I saw Sir GEORGE E. CARTIER; I had many interviews with him, and I asked him if the report of Father RICHOT was correct, and he said it was."

Sir JOHN MACDONALD desired the hon. gentleman to mention to the House the fact that he (SIR JOHN) was taken ill on 6th May, and was ill all summer.

Hon. Mr. MACKENZIE—I am quite aware of that, and if the hon. gentleman merely wishes to avoid personal responsibility—

Sir JOHN MACDONALD—No, no; I want the fact stated.

Hon. Mr. MACKENZIE, in reply, said he had stated at the early part of his remarks that Sir GEORGE CARTIER was formally, and by seniority in the Council, appointed and entitled to act as the *locum tenens* of the Premier. There was another point. It was said—supposing it were true that a promise of amnesty had been made. Was that promise to cover everything? It must be noticed that when this conversation took place, SCOTT had been dead for several months, and all the events were known. But the truth was that before Archbishop TACHE went up at all, he claimed in his evidence that he was authorized to offer an amnesty for proximate events, as he appeared to have pointed out that it was quite possible that something might happen before he could reach there. Archbishop TACHE said, on page 18:

"I understood from the tenor of the conversation that the amnesty would apply to acts committed after that date (I mean the date of the conversation) as well as before; in fact that it should apply to all acts up to the time of my arrival, provided that the people should consent to unite with Canada. One of the ministers, Sir GEORGE CARTIER, said to me:—"The Gov-"ernment has made many mistakes, and we "cannot be surprised that the population should "make some mistakes upon their side. Assure "them that the disposition of the Government "towards them is such that they may rely upon "us with perfect security."

Now, on the same page, the evidence proceeded:

"Any other conversation I had was with Sir JOHN MACDONALD, who again impressed me with the necessity of informing the people of the good intentions of the Government towards them. I said to him then, "This is all very "well, but there have been acts committed "which are blameworthy, and there may be some "others before my arrival there. May I promise "them an amnesty." He answered me:—"Yes, "you may promise it to them." I subsequently asked him to give me in writing the substance of the conversation that had passed between us. This was before I left Ottawa. It was then that Sir JOHN MACDONALD wrote me the letter dated the 16th February, 1870."

That letter would not be found to carry out the *ipsissima verba* of that report of the conversation. There was another remarkable matter connected with this point of the subject. The ARCHBISHOP, after going up to the North-West, acting as the delegate of this Government, returned to Canada, and it was after he

came back that some of the conversation took place. He was invited by Sir GEORGE CARTIER to accompany him to Niagara. They travelled a certain distance together. It was pressed on the ARCHBISHOP that it would be better for him to pass through the States ; he landed at Oswego, travelled overland to Buffalo, and went from Buffalo to Niagara. While at Niagara he endeavored to obtain the assurance of HIS EXCELLENCY the GOVERNOR-GENERAL in the sense of confirming the promise he had obtained from HIS EXCELLENCY'S advisers, and it was while there he obtained the first hint, he tells us, that, even if an amnesty should be proclaimed, it was likely that a distinction must be made between some of those concerned in the Red River difficulties. He said in his evidence :—

I drew the attention of Sir GEORGE CARTIER to this observation of Mr. TURVILLE'S. I took him aside, and said : "What is the meaning of this?" Sir GEORGE CARTIER replied, "Mr. TURVILLE is a nice man, but he knows nothing about these matters, so you need not be uneasy about what he says." That satisfied me that the amnesty had not been withdrawn, but the statement gave me a little uneasiness on that point. So afterwards, when I again met Sir GEORGE, I again spoke about Mr. TURVILLE'S observation, when he gave me about the same answer, and assured me there was no danger to be apprehended for any one of those concerned in the troubles. He also assured me that the amnesty would come soon, and that it would be of an absolute and general character."

Father RICHOT'S evidence was also exceedingly explicit upon this point. He said :

"I left Red River on the 24th of March, 1870, [this was twenty days after the murder of SCOTT], and arrived in Ottawa on the 11th April. We had interviews with two members of the Canadian Government, who were delegated by their colleagues to treat with us.

Father RICHOT next spoke of the interview, and said :

"I was in company with Mr. BLACK. This was on the 23rd. The amnesty was then treated of. We treated of matters in general, but I said the first thing was the amnesty, and that without it nothing could be done. Sir JOHN was present at the time. The hon. gentleman told me that the amnesty did not rest with Canada, but that they would find means to arrange the matter. Sir GEORGE said these were only preparatory interviews with a view to arranging the matter."

Further on witness proceeds :

"I was with Mr. BLACK ; Sir JOHN A. MACDONALD and Sir GEORGE CARTIER were present. The interview took place at Sir GEORGE'S house. They told me these interviews were semi-official. The hon. gentleman wished on that day to treat for arrangements, but I refused, complaining that I had no written acknowledgment of my position as delegate, and I desired to know with whom I was to communicate. I desired to know how I was looked upon. The hon. gentleman said I was sufficiently recognized by what had taken place and what had been said in the House. I then insisted on having a written acknowledgment of my *status*. The amnesty was spoken of on the 25th."

It would be observed by the House that Mr. HOWE'S letter was dated 26th April, thus showing that the Government, in the first place, endeavored to treat with the delegates without recognizing their status, but Father RICHOT insisted on that being done prior to negociations being entered upon. Accordingly, Mr. HOWE wrote the letter of the following day. Father RICHOT, in his evidence, said :—

"I said we might speak on it, but we could settle nothing definitely as to that matter. I said the *sine qua non* of an agreement was a general amnesty. The Hon. Ministers said they would give me an answer on the following day. They also said we give you the means of obtaining an amnesty, but they did not state positively what those means were."

On page 71 of the blue book Father RICHOT'S evidence is as follows :

"The Minister said in reply to our questions that they were in a position to assure us that an amnesty would be granted immediately after the passing of the Manitoba Bill. The nineteenth clause of our instructions is as follows :—

"That all debts contracted by the Provis-"ional Government of the Territory of the "North-West, now called Assiniboia, in conse-"quence of illegal and unconsidered measures "adopted by Canadian Officials to bring about "a civil war in our midst, be paid out of the "Dominion Treasury ; and that none of the " Members of the Provincial Government or "any of those acting under them be in any way "held liable or responsible with regard to the "movement or any of the actions which led to " the present negociations. "

That 19th clause was referred to in Father RICHOT'S evidence as the *sine qua non*. He then proceeds :

"I asked that this clause should form part of the Bill, but they replied that it was not expedient that it should form part of the Bill, inasmuch as the Bill belonged to the House, while the amnesty was a matter for the administration. I asked for a written assurance, but they answered that it was not necessary, and that we might trust to their word. They also said there would be no difficulty whatever, with regard to the amnesty, and that it was a matter which rested with the Crown. We then went on discussing the other matters of our mission. That was all that was then said with regard to the amnesty. They did not speak at all with regard to the proclamation of December 6th, 1869. They told me it would be an insult to

HER MAJESTY if they gave me a written guarantee. They said that if a written promise of the amnesty were required before the passing of the Manitoba Bill it would be imposing conditions on the Crown."

The witness goes on to state :

"The next interview was on the 30th. The three delegates met Sir GEORGE CARTIER ; Sir JOHN A. MACDONALD was still ill. We spoke of the amnesty. Immediately after the interview I took notes of what had been said. I made notes after all our interviews. The note referring to the interview of the 30th is as follows :—"A word about the amnesty all in the same sense." I remember Sir GEORGE told me not to be uneasy, for everything would be granted as it had been promised."

Again he says :

"After the interview with the GOVERNOR GENERAL and Sir CLINTON MURDOCH, I had an interview with Sir GEORGE CARTIER, who asked me if I had not been content with the results of the interview which I had just had with HIS EXCELLENCY and Sir CLINTON. I told him I was sufficiently pleased if what they stated regarding the granting of the amnesty were put in writing. Sir GEORGE then replied the British Government and the Government of Canada would treat our people like spoiled children, and give them more than they expected."

Then, further on, there is the following evidence on page 77, as part of the conversation that took place during the interview on the 28th :

The *resume* of what Sir GEORGE told me is this, "You have obtained all you desired ; "your amnesty will be proclaimed ; it will be "there before the LIEUTENANT-GOVERNOR "arrives. In the meantime tell your people "to remain quiet and to fear nothing. * * * "* * * * * I told him that I had expected myself to bring a proclamation of amnesty with the Manitoba Act. He told me that what I had was equivalent to the proclamation of an amnesty, as an amnesty would arrive before any other authority in the North-West, and that meanwhile RIEL was master and had nothing to complain of. I saw Sir GEORGE several times. He said he had a very plain reason for not giving me any more definite written statements, which was that the Canadian Government could not give the amnesty themselves ; that the proclamation of the Governor was sufficient, and that he could not give a better one. The reason he gave me to sign the petition myself to the QUEEN, was in order that the Government and the Governor might not be compromised. He told me that on account of the excitement of feeling it was advisable to take all the means possible, which would arrive at the same end without exciting prejudices ; that in a country like this, where there were different interests and several parties, provided you arrived at the same end, it was advisable to take those means which would least run counter to the opinions of some of the people. That secondly, the means he was taking to have the amnesty proclaimed was the safest and quickest way of obtaining the desired result without creating dissatisfaction ; that by all that had occurred in our interviews, I should see that their own interests more than ours were to have an amnesty proclaimed ; that they had commenced the grand work of Confederation ; that without amnesty all their work would be lost, and that the people in the North-West were to remain tranquil until the amnesty should arrive."

* * * * * * *

"I told Sir GEORGE that I believed what he said, but was very anxious to have it believed up there. Then he said, "Assure RIEL and his "followers that the amnesty will certainly be "granted, and that if he wishes to reflect he will "see that we have more interest than he in "granting the amnesty."

Mr. MACKENZIE said he must apologize to the House for entering so much into detail, but he wished to point out that it was not a stray expression, not a mere remembrance of words dropped in conversation, but by a continuous line of conversations and successive and continuous interviews, it was the sole subject of discussion; that there was no possibility of being mistaken, and that the evidence showed conclusively that those people were led to believe that what they asked would undoubtedly be granted. But besides, we have in Father RICHOT'S affidavit, sworn on 19th November, 1873. He says:—

"On the 26th April, 1870, the negotiations were begun by taking into consideration the list of rights brought by the delegates, and which has served as the basis for the Manitoba Act ; that besides the Manitoba Act, &c., agreeably to the nineteenth section of the list of rights, the delegates demanded, as a *sine qua non* of the arrangements, a general amnesty for all acts done or authorized by the Provisional Government."

And then he declares in the affidavit:—

"That the Hon. Sir JOHN A. MACDONALD and Sir GEO. E. CARTIER, after stating that the amnesty did not rest with the Government of Ottawa, declared that they were in a position to assure us that it was the intention of HER MAJESTY to grant the amnesty, and that they would take upon themselves to proclaim it, that in fact it would be proclaimed immediately after the passing of the Manitoba Act."

He merely quoted that affidavit although it was a repetition of the evidence given by Father RICHOT, in order to show that when under oath that reverend gentleman made precisely the same statement as when he gave his evidence. Then the House had a corroborative statement in the evidence of Mr. GIRARD. It would be observed that the delegates, returning to Manitoba, proclaimed far and near to their people, in order to reassure them,

the good intentions of the Government towards the people of the North-West; that the promise of amnesty was as full and complete as anything could be, and there was no reason to doubt the good faith of the Government in the matter. Mr. GIRARD, after stating that he wrote to Sir GEORGE CARTIER in the Fall of 1870, proceeded to say:—

"In these letters I described the condition of the country, and urged strongly upon Sir GEORGE the necessity for an amnesty.

"I received answers to several of these letters—I think to all of them. His answer was to request me to be sure that the amnesty would come. Tell your people to remain quiet and keep order.

"I wrote to Sir GEORGE as well in my capacity of a minister as the sole representative of the French element; and also as a friend. I have not those answers from Sir GEORGE here; they are at Winnipeg. In these letters to me he remarked also when recommending quiet, that the enemies of the people would be gratified if they put themselves in the wrong by acting otherwise, and so deprive themselves of the benefit of their position. He desired me to tell them to adhere to their duty and that the amnesty would inevitably come."

At the same interview, promises were made with respect to the expenditure by the insurrectionary leaders, and there was no question now of the fact that the late Administration did promise absolutely to pay the Hudson's Bay Company for all the stores which were seized by the leaders of the insurrection during their short reign.

Sir JOHN A. MACDONALD—No. If the Hudson's Bay Company should set up any claim for payment of stores, then the Government would stand between the insurgents and all harm.

Hon. Mr. MACKENZIE—The Company has set up a claim, and perhaps the hon. gentleman would state who had to stand between the parties now. If the hon. gentleman had no regard for his political promises, he (Mr. MACKENZIE) must have regard thereto. Here were the expressions that Archbishop TACHE stated to have been used to him:—

"Should the question arise as to the consumption of any stores or goods belonging to the Hudson's Bay Company by the insurgents, you are authorized to inform the leaders that if the Company's Government is restored, not only will there be a general amnesty granted, but in case the Government should claim the payment for such stores, that the Canadian Government will stand between the insurgents and all harm.

But who was to stand between the Treasury and all harm? Would the leader of the Opposition do so? Mr. GIRARD, speaking of Sir GEORGE CARTIER'S letter to him about the amnesty, said:

"I was then engaged in my election, and I made these communications very generally known among the people, as well in my county as elsewhere. I made extracts from these letters and circulated them among the people; and I consider that they had a powerful effect in calming the people, and preserving peace and good order. I think I can find these letters, and, if I can, I will transmit them to the Chairman."

With regard to the effect produced by the promises made, Archbishop TACHE stated in his letter to Sir JOHN YOUNG, of date 23rd July, 1870:

"The promise of an amnesty has largely contributed to obtain the result secured; had I not been convinced myself that an amnesty would be granted; had I not brought the people to partake of my conviction, the mission intrusted to me by the Government of YOUR EXCELLENCY would certainly not be crowned with the success obtained."

There was another phase of this matter which he proposed to deal with. It would be recollected that the right hon. gentleman opposite made a pilgrimage through Ontario in 1873. It was not, to be sure, a very successful one; on the contrary it was very disastrous to him. During that pilgrimage he (Mr. MACKENZIE) was accused of making capital out of the execution of SCOTT. He declared that he never did make capital out of it. He had expressed his honest conviction in Parliament and out of it, as he was prepared to do on all occasions and on every topic. Gentlemen would search his speeches in 1872 in vain for anything to prove that charge. But what was the course of the right hon. gentleman opposite? Why, as he went west his language became bolder, and he was able at last when he reached the western confines of Ontario, to characterize the execution of SCOTT as a murder, and to express his anxious desire to catch the murderer that he might be punished. Let us see what took place. The general election of 1872 began in August and continued well on in September. In December, 1871, we find the hon. gentleman opposite proposed to Mr. RIEL, through the Archbishop, that he should leave the country, and he (Sir JOHN) would pay him $1,000. The ARCHBISHOP, in his evidence before the North-west Committee, states:

"I came to Canada October 5th, 1871. I saw Sir GEORGE in Montreal and Quebec, and he

spoke to me about RIEL'S leaving the country, and he strongly advised me to use my influence to get RIEL to leave the country for a while. This was in October or November, 1871. I told Sir GEORGE that I agreed in his opinion, but that it was extremely difficult for me to interfere, as I had been so badly treated, being deceived about the amnesty. He urged me, saying, "I was the pastor of the people," and he insisted so much, that I at last said I would try, but I said, "You must remember that man is poor; "his mother is a widow with four young girls "and three young boys, and she has no means "of support, especially when her eldest son is "away. He himself has only labor for his sup- "port, and I do not think it is fair to ask him "to leave his home without some compensation "or some means of travelling." "That is true," said Sir GEORGE, "we will see about that." He then asked me if I would go to Ottawa. "Yes," said I, "I intend to be there the beginning of December." "Then," said he, "we will settle the matter there." I came to Ottawa the beginning of December. Sir GEORGE also came, and then I saw him and Sir JOHN. I had several conversations with both of them, but one of them especially I remember with Sir JOHN; it was on the 7th December, about noon, in his office. I do not remember who began, but he insisted that I should advise RIEL to leave the country for a while, and added these words, so far as I can recollect them: "If you "can succeed in keeping him out of the way for "a while, I will make his case mine, and I "will carry the point." The question of amnesty has caused me so much pain already that I thought I would be justified in using all honest means to secure Sir JOHN'S assistance in the granting of the amnesty, and it was on that ground, and on that ground only, that I promised, as I did then promise Sir JOHN, that I would endeavor to persuade RIEL to leave Red River for a while. I made to Sir JOHN the same observation which I had already made to Sir GEORGE, about the necessity of giving some money to RIEL if he were asked to leave the country. It was agreed by Sir JOHN that they would do something about that matter. That he would consult with Sir GEORGE and give me an answer afterwards. I got an answer, dated 27th December, 1871, from Sir JOHN, which I produce, under the direction of the Committee, as follows:

(No. 30.)

"(Private and strictly Confidential.)

"OTTAWA, December 27, 1871.

"MY DEAR LORD ARCHBISHOP,—I have been "able to make the arrangement for the indi- "vidual that we have talked about.

"I now send you a sight draft on the Bank "of Montreal for $1,000. I need not press upon "your Grace the importance of the money "being paid to him periodically (say monthly "or quarterly), and not in a lump, otherwise "the money would be wasted, and our embar- "rassment begin again. The payment should "spread over a year.

"Believe me, Your Grace's

"Very obedient servant,

"Signed,) JOHN A. MACDONALD."

"His Grace

"The Archbishop of

"St. Boniface, Montreal."

He was sure the hon. gentleman would not expect him to pass over this branch of the subject without mentioning a little incident. About the same time that this letter was written, he (Mr. MACKENZIE) joined the Government of the hon. member for South Bruce in Ontario, and a short time after this letter was written, a resolution was passed in the Legislature of Ontario, offering a reward of $5,000 for the apprehension of these men. This was in January or February, 1872, and the letter of the MINISTER OF JUSTICE, sending the $1,000, was dated December, 1871, and in August, 1872, we found the right hon. gentleman proclaiming over the country that we had driven these men out of the country by the offer of the reward, and consequently he was unable to catch them. No doubt—in fact, he must believe it—the right hon. gentleman had forgotten that he had sent $1,000 to induce RIEL to leave the country. Archbishop TACHE further stated in his evidence:—

"I left Montreal on the 2nd January, and at a station between Prescott and Sarnia, I received a letter from Sir GEORGE, which I have not with me, and I do not know whether it is in existence. In this Sir GEORGE alluded to the draft which had been sent me by Sir JOHN, and stated that it would be advisable that LEPINE should leave also, and that the money should be divided between the two."

Further on he stated:—

"It was then that I saw Lieutenant-Governor ARCHIBALD on the subject of money. There were conversations between the LIEUTENANT-GOVERNOR of Manitoba and myself on the subject. The LIEUTENANT-GOVERNOR called on Mr. SMITH, and, in my presence, asked if he could furnish the funds, which, of course, he said would be re-imbursed by the Canadian Government. I named at first £800 sterling to the GOVERNOR as the sum required by RIEL and LEPINE for themselves and their families. The GOVERNOR asked Mr. SMITH to lend £800 sterling. I mentioned that I had $1,000 at my disposal, without mentioning the source, and thus the sum to be furnished by Mr. SMITH was reduced to £600 sterling. I understood that the advance was asked of and made by Mr. SMITH in his capacity of agent for the Company who were the bankers for the Territory. Mr.

SMITH said he could, and did, in fact, furnish £600 sterling. It was handed to me, and I added to the amount, out of the $1,000 before mentioned, a little over $200, to make up $1,600 a piece for RIEL and LEPINE, which I gave them in accordance with their demand, to enable them to go and live outside the Territory. The remainder of the $1,000 I kept in the bank of the Company to be used as required for the support of their families, and it was so used. I wrote the letter which they had asked of me, and I produce a copy, dated 16th February, 1872. * * * I am certain that the LIEUTENANT-GOVERNOR and the Ottawa Government would repay the money. That money was furnished under the directions of Governor ARCHIBALD."

Now, he did not intend to make any comments at all upon that transaction, further than was pertinent to the subject in hand; but he had merely to say that it was an element in the consideration of this case when they found the MINISTER OF JUSTICE who was responsible for the administration of Justice, who was also the head of the Government, deliberately entering into an arrangement with his own ambassador to furnish funds to enable these parties to leave the territory. It would be exceedingly difficult, after that transaction—as a very eloquent Canadian writer wrote not long ago—to bring the men to trial without placing the MINISTER OF JUSTICE in the dock along with them. He now came to consider another question,—another part of the question rather—which, to his mind was even of more weight in considering what the House should do in this case than the events he had mentioned. That was the conduct of several parties in the North-West — the GOVERNOR and the Government—in connection with the Fenian raid in the Province. He would leave it to legal gentlemen in this House to say what was to be said of promises made by the Chief Magistrate of a country, under such circumstances. It was held, he knew, as a principle in ordinary constitutional law, that where a Government accepts the services of parties, and induces them to risk their lives, that that would undoubtedly act as a condonation of the offences of all such persons, if implicated in a movement of this character. That he merely mentioned for the consideration of legal gentlemen; but he did say, whether this was really the law or not, whether it was to be understood as the law of nations, or not; as a law of Great Britain, or not; as a matter that binds the Crown or does not bind the Crown technically, there could be no question, as Lord CARNARVON remarked, that it would be impossible to consider the sentences of these men, with a view to commutation, without considering the circumstances brought to light in connection with them; and whether the Imperial Government should deem these circumstances as of sufficient weight or not, this House, he had no hesitation in saying, and this Government, should consider, how far they should palliate the circumstances which the Courts of Justice had now recognized and characterized. Mr. GIRARD'S evidence on this point was as follows:—

"I recollect the Fenian raid. I was then in the Government. I remember the arrival near the fort of the body of Metis numbering perhaps 400 or 500, perhaps one-third mounted and the rest dismounted. The greater part were armed. RIEL, LEPINE and PARENTEAU appeared to be jointly in command of them. Those three seemed to be on an equal footing.

"I informed the Lieutenant-Governor of their arrival, at the request of Mr. ROYAL, then Speaker of the Assembly.

"I told him that the Metis wanted to meet him either in the fort or on the other side of the river. I told him that RIEL and his friends were there. He consulted me whether it would be better to meet them in the fort or on the river. I recommended him to see them at the river. He agreed. We crossed the river; I in a rowboat; the Governor in a scow on horseback, accompanied by Captain MACDONALD I think. We came close to them, and I then said to the Governor that these men were ready to go to the front to defend their country; thereupon the Governor spoke to them saying, that he received their offer and had much satisfaction in meeting them.

"Afterwards there was a sort of salute fired and cheering on both sides of the river.

"Afterwards he went with me among the crowd at the river and I, ROYAL and DUBUC, introduced him to the prominent men, amongst whom was RIEL. I introduced RIEL as the man whom the half-breeds had chosen as their chief for the occasion. I thought it would be better not to give the name of RIEL to the Governor. This had occurred to my own mind on the way across the river. It had not in any way been discussed.

"I supposed he understood it was RIEL.

"Governor ARCHIBALD shook hands with RIEL when introduced to him in the way I have described.

"Mr. DUBUC introduced AMBROISE LEPINE by his name as a prominent man and the Governor also shook hands with him.

"PARENTEAU was also introduced by name, and the Governor shook hands with him.

"RIEL was the first introduced.

"After the introductions, RIEL addressed the Governor publicly saying that he was there with his friends to offer their service in defence of the country against all enemies, and asking the Governor to accept their services.

"The Governor thanked him very warmly for that offer of service, and told him it was received with much pleasure.

He did not know that it was necessary to read very much more upon this particular point. The fact was established by the evidence that he had read, that the Governor accepted the services of these parties and thanked them for turning out, but it did not develope the fact that the Governor apprehended serious danger unless he felt himself able to rely upon the assistance that the Metis could give him. Father RICHOT'S evidence, on page 89, has this:

I wrote a letter to the Lieutenant-Governor upon the occasion of the O'Donohue Fenian raid. I have a copy of the letter which I can produce. The Lieutenant-Governor then wrote me a note stating that he desired to see me. I have not the letter of Mr. Archibald in which he asks to see me. I went to see him. This was on the 4th October, 1871. HIS EXCELLENCY said he wanted to know what attitude the French population would take on the occasion of the Fenian invasion. HIS EXCELLENCY stated that he was quite persuaded from what he had seen that the French population was loyal, but that under the circumstances such as those which presented themselves, it was his duty to have exact information of what was going on in the Province. He said if the population showed itself loyal, there would be nothing to fear from the Fenians, whatever might be their numbers; but if, on the contrary, part of the population was hostile to the authorities, the country would be lost, because when divisions took place in a camp nothing could be pone. He said if they could trust to that part of the Metis or half-breeds near the frontier, they had nothing to fear; consequently, he wanted to know from me if I was in a position, living amongst the French half-breeds as I did, to tell him positively if he could count on them, and that I answered him that it was quite certain that he could count on them, and that I had seen the leaders of them, amongst whom was RIEL, and that they themselves were anxious to know what attitude the authorities would take on the occasion of the invasion by the Fenians. I also said that they only waited for word to go to the front if required, and to place themselves in a position to meet that invasion whatever it might be. I stated that in RIEL'S opinion it was a measure of precaution which should be taken immediately. HIS EXCELLENCY commissioned me to tell the French Canadian half-breeds, and especially RIEL, that he would be very happy to see them giving their help to the authorities. I then observed to HIS EXCELLENCY that he (RIEL) was very perplexed because his friends told him that if he went forward and showed himself he would expose himself to be killed, that any action he would take would be badly interpreted, and that there were warrants out against him, and that he could be arrested the very moment he was in arms or elsewhere, if he appeared in a public assembly. HIS EXCELLENCY said there was no danger at all, and that any steps in that direction would be well considered, and that it was a good time for RIEL to prove his loyalty. HIS EXCELLENCY also said that it would be a further occasion for the hastening of the granting of an amnesty, and that it was the time to prove that what had been said against him was false. I promised to communicate what he had said to RIEL, and that on the very next day he would have news of my mission. Then after that I met friends, who observed to me that RIEL'S friends would not allow him to go forward unless there would be something in writing, saying that RIEL would not be ill-treated. Upon this I took the liberty of writing the following letter to Mr. ARCHIBALD.

Then follows the letter and assurance given by the Governor that the actual circumstances would be considered and no harm would come to them. And then the two principal men address the following letter to HIS EXCELLENCY:

"ST. VITAL, 7th October, 1871.

"MAY IT PLEASE YOUR EXCELLENCY,—We "have the honor of informing you that we high- "ly appreciate what YOUR EXCELLENCY has "been pleased to communicate to the Reverend "Father RITCHOT, in order that we might be "better able to assist the people, in the excep- "tional position they have been placed in, to "answer your appeal. As several trustworthy "persons have been requested to inform you, "the answer of the Metis has been that of "faithful subjects. Several companies have "already been organized, and others are in "process of formation.

"YOUR EXCELLENCY may rest assured that, "without being enthusiastic, we have been "devoted.

"So long as our services continue to be "required, you may rely on us.

"We have the honor,

"&c., &c., &c.,

"(Signed,) "LOUIS RIEL,

" "A. D. LEPINE,

his

" "PIERRE x PARENTEAU.

Mark.

"To the Hon.

"Adams G. Archibald,

"Lieutenant-Governor of Manitoba."

Now, it was quite possible that Governor ARCHIBALD might have exaggerated the danger of the occasion. He might have been wrong in assuming that the Province would be over-run by the Fenians unless he obtained the support of these men and their associates, but whether he was so or not, he was there as the representative of this Government, and as such, it was his duty to take measures to keep the peace. He chose to ignore all that had passed and invited their assistance to repel the threatened invasion, and that circumstance must

be taken into consideration when Parliament were about to determine the amount of punishment to be given to them for the offences they committed. He would not read Governor ARCHIBALD's evidence, but would simply content himself with paraphrasing it. Governor ARCHIBALD stated in his evidence that he did apprehend serious danger, that the services of these men were tendered, that as the representative of HER MAJESTY he had accepted their services *pro tem.*, and these men entered into the service expecting to reap the reward usually given to men under such circumstances, and placed in such a position. There was one point that he (Mr. MACKENZIE) neglected to notice in connection with the promised amnesty. They found repeated evidence in Mr. LANGEVIN'S deposition, as well as in the deposition of the Archbishop, that Sir JOHN A. MACDONALD intended to go to England immediately after the session, and that he expected then to be able to settle the question of amnesty, and very much reliance appeared to have been placed upon this by the several parties interested. Now, he had only a very few words to say on another point. It was tolerably evident that when frequent communications take place, with people charged with such crimes, by the members of the Government, even if they were not of so serious an import as those referred to, such communications must have their weight. It would be remembered that among the disasters of the Conservative party in the general elections of 1872, the late Sir GEORGE E. CARTIER was defeated in Montreal. It would also be remembered that two candidates were before the electors of Provencher, in Manitoba—Attorney-General CLARKE and LOUIS RIEL—and we find that a series of communications passed between the members of the Administration here, including the PREMIER and Governor ARCHIBALD, in reference to the withdrawal of these two candidates, in order that Sir GEORGE CARTIER might take the seat. Archbishop TACHE in his evidence stated :—

"When we heard in Manitoba that Sir George had been defeated, I received a letter from Lieut.-Governor Archibald either the 3rd or 4th September, 1872, which I produce :

Thursday morning, 5th September, 1872.

My Dear Archbishop,—Now or never. Do not let the chance, which will never recur, be lost. Could you see me to-day.

Yours very sincerely,

(Signed,) A. G. ARCHIBALD.

"His Grace the Archbishop."

"On the same day I went to him who explained to me that it seemed to him that it would be highly advisable that Riel (who was then a candidate for Provencher) should retire and allow Sir George to be elected. I said I would try and see Riel and ascertain his views. The Governor said that this would bind Sir George so tightly that he could not help doing even more afterwards than he had done towards the amnesty. I saw Riel and advised him to retire, giving him the same reasons, and also other reasons on behalf of his country. He told me that personally he would have no hesitation, that he understood perfectly well that it would be for the advantage of Manitoba to have a representative in the Cabinet, but that he was not quite sure his friends would view the matter in the same light, and that in order to satisfy them he must have some guarantee that the half-breeds would not be overlooked. He gave me, in writing, his conditions of withdrawal in favor of Sir George. I returned to Mr. Archibald, and stated the conditions, and myself wrote at his desk a translation made by himself, and which he was to have telegraphed to Sir George."

Then Lieutenant-Governor ARCHIBALD wrote to the Archbishop on the 10th of September, five days afterwards :

"They should elect Sir GEORGE by acclamation, without stipulations or conditions.

"It would be the graceful way, and would bind Sir GEORGE quite as effectually as any stipulations, which after all are not the *making*, but the *renewal* of pledges already given.

"However, this is not my business.

"Yours very sincerely,

"(Signed,) A. G. ARCHIBALD.

"His Grace

"The Right-Rev. the Archbishop."

The next day Archbishop TACHE wrote to the GOVERNOR to ascertain whether RIEL'S conditions had been accepted or not. Then in reply to that, the GOVERNOR writes to Archbishop TACHE :—

"12th September, 1872.

"MY DEAR ARCHBISHOP,—I received last evening a telegram from Sir JOHN, to say that he had received my message, and sent it to Sir GEORGE, and that he expected a reply to-day, and would forward it to me at once. I see that he thinks the constituency ought to elect Sir GEORGE promptly, and without stipulation. They could safely confide in promises which, being already made, can gain no strength by repetition. You shall have the answer of Sir GEORGE whenever it arrives.

"Yours sincerely,

"(Signed,) A. G. ARCHIBALD.

"To H Grace the Archbishop."

Hon. Mr. Mackenzie.

The ARCHBISHOP continues :—

"The same evening I received from Mr. ARCHIBALD what he said was a copy of a telegram from Sir JOHN, as follows :—

"OTTAWA, 12th September, 1872.

"LIEUT.-GOV. ARCHIBALD,—Sir GEORGE will "do all he can to meet the wishes of the parties; "this statement should be satisfactory.

"Signed,) JOHN A. MACDONALD."

"Copy of telegram just received.

"(Signed,) HENRI BOUTHILLIER."

This was communicated to the parties ; and just the night before the election I received the information that Riel had succeeded in inducing his friends to support the election of Sir GEORGE, and that on the following day he would, at the nomination, retire in his favour ; and he did so, and immediately after sent Sir GEORGE a telegram, of which I produce a certified copy.

"WINNIPEG, 14th September, 1872.

"To Hon. Sir GEORGE ET. CARTIER, Bart., Montreal.

"Your election in our County is by acclama- "tion, and have reason to hope in the success of the cause trusted into your hands.

"(Signed,) "LOUIS RIEL,
"JOSEPH ROYAL,
"A. LEPINE,
"JAS. DUBUC."

I did not myself communicate with Sir GEORGE on the subject, but I received from him a telegram, dated 17th September, which I produce.

"OTTAWA, 17th September, 1872.

"To His Grace Archbishop TACHE.

"Presume your Grace is one of the friends "who got me elected in Provencher ; accept my "sincere thanks. Give thanks for me to all "friends, and especially to those who were "more instrumental in securing election. Am "leaving for England for brief visit for my "health ; will send letters of thanks before "leaving.

"(Signed,) G. E. CARTIER."

He (Mr. MACKENZIE) had not the passage before him at the moment, but he thought the right hon. member for Kingston, with his usual foresight, wrote to Mr. ARCHIBALD to tell RIEL not to resign in Sir GEORGE'S favor.

Right Hon. Sir JOHN MACDONALD —Tell RIEL!

Hon. Mr. MACKENZIE—Well, the late President of the Provisional Government.

Right Hon. Sir JOHN MACDONALD —The hon. gentleman, I have no doubt, remembers my telegram very well. My telegram was to the Governor of Manitoba, and I asked him to get a seat for Sir GEORGE CARTIER in that Province, but did not say to him to tell Riel not to retire in Sir GEORGE'S favor.

Hon. Mr. MACKENZIE—I did not misrepresent it.

Right Hon. Sir JOHN MACDONALD —Yes, but the hon. gentleman did !

Hon. Mr. MACKENZIE said he did not mean to say that the words were actually employed that he stated, but the hon. gentleman suggested to the Governor not to state that RIEL resigned in Sir GEORGE'S favor. He would proceed with the evidence given before the Committee, in order to obtain what was necessary to furnish the circumstances connected with the motion which he was placing in the SPEAKER'S hands. He had merely to say that the Government having acted in this matter, bound as they were to put an end to this vexed controversy now and forever, their proposition was one which would commend itself to every reasonable man, and would answer the expectations of all those who did not take extreme views of the question on both sides. The Government had fairly prosecuted the enquiry regarding the North-West troubles. Those who viewed the offence of which these men stood accused as a crime were quite justified in every effort they made to bring the perpetrators to justice, and he could not condemn the efforts of those who saw in the death of SCOTT merely one of those executions which might occur, and did occur frequently, in insurrections of this nature. Many would recall to memory the incidents which occurred in the Provinces of Upper and Lower Canada where lives were sacrificed just as cruelly and unjustly, perhaps, as the one now under discussion. He would not for one moment say a word to justify that execution. It was not only cruel, but entirely unnecessary. He had never been able to understand the reasons for it, but so far as he was able to understand them, they were from a proximate fear of troubles that SCOTT might cause, instead of punishment being inflicted for any crime committed. Some latitude should of course be given to the actors in the scene as being the existing authorities of the Province, and from the promises subsequently given, and the recognition of their services by the Crown, there was but one course to follow ; for whether the Imperial authorities acknowledged Mr. ARCHIBALD as a British Governor or not,

regarding which point Earl CARNARVON had raised some question, we at least must recognise him as a Canadian Governor; and if the British Government were pleased to extend our responsibility, he for one was ready to accept it. At the present time it had become the duty of the Government—and he ventured to say it was also the duty of the House—to sustain the motion he had proposed as one that recognized at once that a crime had been committed, and tempered justice with mercy. This he said on the grounds afforded by the evidence before the House, which must have its due weight with all dispassionate and impartial men; and if they followed this course, he thought they would receive the cordial thanks of every member of this House for having removed what had been in time past a stain on the history of the country, and taking a step for which futurity would be thankful,—even if it were done at the risk of being more or less unpopular with one or more of the parties at the present time. He begged to move, in conclusion, the following motion of which he had given notice:

That from the evidence reported to this House by the Committee appointed last session on the questions arising out of the North-West troubles, it appears that the late Sir G. E. CARTIER, Minister of Militia and Defence, and during Sir J. A. MACDONALD'S illness, acting Minister of Justice, leader of the Government, and its representative in its negotiations with the delegates from the North-West, at various times, gave divers persons of prominence in the North-West, amongst whom were Archbishop TACHE, Father RITCHOT, the Hon. M. A. GIRARD and the Hon. J. ROYAL, assurances that a complete amnesty would be granted by the Imperial Government in respect of all acts committed by all persons during the North-West troubles, and requested that these assurances should be as they were communicated to the interested parties. That from the same evidence, it further appears that the envoy of the Canadian Government, Archbishop TACHE, acting in the *bona fide* belief that he was authorized to do so, assured the people of the North-West that the Imperial Government would grant such an amnesty; and the Canadian Government did not communicate to the people any disavowal of his action.

"That from the same evidence it further appears that the interested parties became, by means of the said assurances convinced that such an amnesty would be granted; and that this conviction so affected their action as to facilitate the acquisition of the territory by Canada.

"That from the same evidence it further appears, that, on the occasion of the raid of Fenians, led by W. B. O'DONOHUE, one of the actors in the North-West troubles, the Hon. A. G. ARCHIBALD, Lieutenant Governor of Manitoba, in the name of HER MOST GRACIOUS MAJESTY, the Queen, by proclamation called on all the inhabitants to rally to its defence; and especially asked through Father RITCHOT, the aid of L. RIEL and A. D. LEPINE, and in reply to a letter from Father RITCHOT on the subject, wrote the following letter:

"GOVERNMENT HOUSE, Oct. 5th, 1871.

REVEREND SIR,—Your note has just reached me. You speak of difficulties which might impede any action of Mr. RIEL in coming forward to use his influence with his fellow citizens, to rally to the support of the Crown in the present emergency.

Should Mr. RIEL come forward as suggested, he need be under no apprehension that his liberty will be interfered with in any way; to use your own language, '*pour la circonstance actuelle.*'

It is hardly necessary for me to add that the co-operation of the French half-breeds and their leaders in the support of the Crown under present circumstances will be very welcome and cannot be looked upon otherwise than as entitling them to most favorable consideration.

Let me add that in giving you this assurance with promptitude I feel myself entitled to be met in the same spirit.

The sooner the French half-breeds assume the attitude in question the more graceful will be their action and the more favorable their influence.

I have the honor to be, Revd. Sir,
Yours truly,

(Signed) A. G. ARCHIBALD,
Lieutenant-Governor.'

Revd. PERE RITCHOT,
St. Norbert.

And subsequently in reply to a letter to him from L. RIEL, A. D. LEPINE and P. PARANTEAU caused the following letter to be sent:—

"GOVERNMENT HOUSE,
"FORT GARRY, Oct. 8th, 1871.

"GENTLEMEN,—I have it in command from "HIS EXCELLENCY the LIEUTENANT-GOVERNOR "to acknowledge receipt of your note of this "morning, assuring HIS EXCELLENCY of the "hearty response of the Metis to the appeal "made to them in HIS EXCELLENCY'S proclama-"tion.

"You may say to the people on whose behalf "you write, that HIS EXCELLENCY is much "gratified to receive the assurance which he "anticipated in his communication with the "Rev. PERE RITCHOT, and which your letter "conveys, and that he will take the earliest "opportunity to transmit to HIS EXCELLENCY "the GOVERNOR-GENERAL this evidence of the "loyalty and good faith of the Metis of Mani-"toba.

"HIS EXCELLENCY will be pleased to be fur-"nished as soon as possible with a nominal "list of persons in each parish who desire to "enrol for active service in the present emer-"gency.

"His Excellency will rely upon their readi-
"ness to come forward the moment they receive
"notice.

"I have the honor to be, Gentlemen,
"Your obedient servant,

"W. F. Buchanan,
"Acting Private Secretary.

"To M. L. Riel,
"M. A. D. Lepine,
"M. Pierre Paranteau."

"That from the same evidence it further appears that the said L. Riel. A. D. Lepine "and P. Paranteau accordingly raised a large "body of men to assist in the defence of the "Province and marched them to the vicinity of "Fort Garry, where they were received and "their services accepted by the Lieutenant-Gov-"ernor, who shook hands with L. Riel and "A. D. Lepine as leaders of the force, and by a "subsequent proclamation recognized their ser-"vices; and the action of the Lieutenant-Gov-"ernor was not disavowed by the Canadian "Government which continued him in his place "and thereafter promoted him to the Lieuten-"ant Governorship of Nova Scotia."

"That from the same evidence it further "appears that Sir J. A. Macdonald, the first "Minister of Canada and Minister of Justice, "in Dec. 1871, after the Fenian Raid was over "entered into negotiations through Archbishop "Taché, with the said L. Riel for his retire-"ment from the Province of Manitoba for the "space of a year, and for his maintenance dur-"ing this expatriation out of the public funds "of Canada, and in order to induce him so to "retire, pointed out to the Archbishop that the "proposed step would improve the chances of "obtaining the amnesty from Her Majesty's "Government, and stated that he would exert "his personal influence to procure action in the "matter by Her Majesty's Government, and "that he would so far make Riel's case his own "and, having so induced the Archbishop to "interfere, sent him the promised sum which "was taken from the Secret Service Fund "placed at the disposal of his Government by "Parliament with the following letter:—

PRIVATE AND STRICTLY CONFIDENTIAL.

Ottawa, Dec. 27th, 1871.

"My Dear Lord Archbishop.—I have been "able to make the arrangement for the "individual that we have talked about. I now "send you a sight draft on the Bank of Montreal "for $1,000. I need not press upon your Grace "the importance of the money being paid to "him periodically (say monthly or quarterly) "and not in a lump, otherwise the money would "be wasted and our embarrassments begin again. "The payment should spread over a year.

"Believe me, your Grace's very obedient "servant, John A. Macdonald.

"His Grace,
"The Archbishop
"of St. Boniface, Manitoba."

That from the same evidence it further appears that Sir George E. Cartier, Minister of Militia and Defence, afterwards communicated with Archbishop Taché, requesting that A. D. Lepine should be included in the same arrangement, and that the Archbishop was, on his return to Manitoba, further requested by Lieutenant-Governor Archibald to procure the expatriation of the said persons, and in order to make a sufficient provision for the maintenance of themselves and their families the Lieutenant Governor procured from the Hudson Bay Company the further sum of £600, and that the Archbishop thereupon induced L. Riel and A. D. Lepine to consent to the requests of Sir J. A. Macdonald, Sir George E. Cartier and A. G. Archibald, and they departed accordingly, and they and their families received for their maintenance said sums of $1,000 and $300.

That thereafter and during the General Election of 1872. L. Riel was contesting Provencher with Attorney-General Clark, when, at the request of Sir John A. Macdonald, First Minister and Minister of Justice, Lieutenant-Governor Archibald arranged that both the said candidates should retire in order that Sir G. E. Cartier, Minister of Militia, might be elected for the County, and he was elected accordingly, and publicly received, and acknowledged the congratulations of L. Riel and A. D. Lepine on the event.

That from the said evidence it further appears that Sir John A. Macdonald, First Minister and Minister of Justice, gave assurances to Archbishop Taché, to his Quebec colleagues and others that he would on his intended visit to England press on Her Majesty's Government to take up the question, thinking that they might see their way to granting a complete amnesty without the Canadian Government being responsible for it, to which he had no objection, and which would, he believed, be loyally accepted by the Canadian people.

That in the opinion of this House it is not for the honor or interest of Canada that the question of amnesty should remain longer in its present shape.

That in the opinion of this House the facts developed in the said evidence cannot be ignored by the people or the Parliament of Canada, and must be considered in the expression of their views as to the disposition of the question.

That in the opinion of this House it would be proper, considering the said facts, that a full amnesty should be granted to all persons concerned in the North-West troubles for all acts committed by them during the said troubles, saving only L. Riel, A. D. Lepine and W. B. O'Donohue.

That in the opinion of this House it would be proper, considering the said facts, that a like amnesty should be granted to L. Riel and A. D. Lepine, conditional on five years' banishment from Her Majesty's Dominions.

That an humble address be presented to His Excellency, the Governor General, embodying this resolution and praying that he will be pleased to take such steps as may be best calculated to calculated to carry it into effect."

It being six o'clock, the House took recess.

AFTER RECESS.

Mr. MACKENZIE BOWELL, in resuming the debate, said he rose with considerable diffidence to discuss a question of such momentous importance as that now before the House, more particularly as it had fallen to his lot to follow the First Minister of the Crown. He must, however, express astonishment at the manner in which this question had been brought before the House. Taking the resolutions as a whole, he thought they were unparalleled in the history of any legislative body. It did seem to him that they had been framed—he thought he might safely say with the malignant ingenuity of a subtle mind, other than they might expect of the gentleman who proposed the resolution—for the purpose of relieving the Government of the great responsibility which they should not hesitate to assume as the responsible advisers of the Crown in this country. It seemed to him that they had adopted this course for the purpose of erecting a barrier behind which they could retreat, no matter from what quarter they might be attacked. If from an Ontario standpoint, they would say that, notwithstanding the extreme utterances which they had made for the last three or four years, they had effected a compromise of this kind, and relieved those whom they declared in the past should be hanged or gibbetted. If attacked from a Lower Canada standpoint they could plead that they had placed RIEL and LEPINE, and those who were acting with them in the events which occurred in the North-West, in a much better position than they would have been had they been let alone. If this were not their policy, why, he would ask, had they not given a fair *résumé* of the evidence that bore particularly upon this subject? Why had they studiously left out of the preamble—if he might so term it—every word that referred to the action of their colleagues in connection with the presumed promise of amnesty. Had they not desired to throw the whole responsibility upon the Government that had passed out of existence, and had they not desired to inflict a stab on the right hon. member for Kingston, and those who supported him at the time, they would have added to these resolutions the action of the late Minister of Justice, Mr. DORION, and the interview which took place between Archbishop TACHE and Mr. LETELLIER, and would have read to the House the telegrams which their late colleague, the then Minister of Justice, sent to Governor MORRIS in order to induce RIEL to retire from Provencher. They might have gone further, and told the House, because the evidence showed it, that Archbishop TACHE through Governor MORRIS informed them where they could find Mr. RIEL, and hold communication with him, and discuss the question of his running for Provencher. They could have even gone further, and stated that Father LASCOMB wrote to Archbishop TACHE and told him that he had an interview either with the late MINISTER OF JUSTICE, or some one in his behalf in reference to this matter. He repeated that had the Government been desirous of making their case stronger, and of reciting all the facts connected with the promise of amnesty and the negotiations that had been carried on with those connected with the troubles in the North-West, they would have placed upon record their own utterances in this matter. He found on reading the evidence, in addition to that recited in the resolution and read to the House, that Archbishop TACHE stated in his evidence that on the 25th November he had an interview with Mr. LETELLIER in his office, and that Mr. LETELLIER said to him: "I think (or I hope) that we shall be able to give the amnesty to our Lower Canadian friends as a New Year's gift." This was, he thought, about as strong evidence as any produced, and if the Government had, he would not say the political courage, but the moral courage which they should possess as responsible Ministers, they would have come down to this House and asked for an amnesty pure and simple. He would say further that if there was any logical deduction to be drawn from the utterances of the PREMIER to-day, basing as he did his whole case upon the promises or supposed promises or utterances, official or unofficial, he (the PREMIER) should say at once that these parties were entitled to an amnesty pure and simple. But it did surprise him that in this resolution any allusion to the utterances of the members or ex-members of the present Government was studiously avoided by the PREMIER. However, when he came to that point, he would discuss it further.

Then on the 30th of the same month Archbishop TACHE states in his evidence that he saw the Hon. Mr. DORION and Hon. Mr. LETELLIER, and this was the evidence he gave of the result of those interviews :

"I was led to believe that they themselves had some guarantees about it, (the amnesty). They were not explicit, but I was led to believe it. It was something to the effect that there was an agreement with their colleagues as to the granting of the amnesty. The words as near as I can say were these : "We cannot settle every-" thing. It is so soon after the formation " of the Government. We have hopes " that the thing will be arranged in a fav-" orable way according to your wishes ; " and we see ourselves the necessity of the " amnesty." I remember no further words."

Of course, these gentlemen he (Mr. BOWELL) presumed, taking the argument of the Premier, were speaking in behalf of their colleagues—Upper Canadian as well as Lower Canadian. His Lordship continues :

" My impression was so strong, that I asked Mr. DORION in what way he and I could communicate together about the amnesty, after my departure for Manitoba, without its being known. He then wrote in my memorandum book two sentences, which he explained as to what their meaning would be in case we should communicate about the amnesty."

He (Mr. BOWELL) supposed hon. gentlemen opposite were as desirous of keeping these matters secret as their predecessors, and hence they had a secret system of communicating with each other. His Lordship continues :

I produce the sentences. "Communication received, matter attended to immediately," meant this : "communication received" means "amnesty ;" "matter attended to immediately" means "immediate promulgation of the amnesty."

Next sentence, "Communication received" (same meaning), "matter under consideration" meaning "that the amnesty was under consideration by the Ottawa Government ;" "you may expect early decision" meaning its inherent sense as bearing on the secret meaning of the prior part of the sentence.

It was agreed that he would add to the latter sentence the name of the month in which he expected the thing would be settled.

The date is marked on the back of this memorandum. It is November 30th. The memorandum was written about the close of our interview of that day, which was my last interview with them.

I left Montreal on the 2nd of December.

The impression made on my mind was so favorable, that on my arrival I told many people that we had every reason to expect that the new Government would carry out the promise of the old Government.

Hon. Mr. MACKENZIE—Hear, hear!

Mr. BOWELL said he was glad there was glad there was something in this part of the evidence that pleased the hon. gentleman opposite. He never approved of this sort of thing in the late Government any more than in the present one. The only difference between them was that there was less hypocrisy about the late Government than characterized the present one.

Hon. Mr. CAUCHON—You did not show it by your votes.

Mr. BOWELL—If the hon. gentleman has anything to say, I wish he would say it distinctly.

Hon. Mr. CAUCHON—I said your votes did not show it.

Mr. BOWELL said that assertion had been made by others on the Ministerial side, but if they would examine the records of Parliament they would find that it was not warranted by facts.

Hon. Mr. CAUCHON—(Ironically)—Hear, hear.

Mr. BOWELL challenged the hon. gentleman to produce any evidence to prove the assertion. Archbishop TACHE in his evidence furnished the following telegrams :—

"MONTREAL, December 25th, 1873.

"To Archbishop TACHE.

"I received the gratifying intelligence con-"tained in your telegram. Matters here are "progressing slowly, but most satisfactorily. In "a few days I will write result, and about "some important questions.

"(Signed,) A. A. DORION."

On the 2nd January, the following telegram was sent :—

"OTTAWA, January 2nd, 1874.

"To ALEX. MORRIS,

"Fort Garry, Manitoba.

"Will you communicate confidentially "to Bishop TACHE that I am particularly "desirous, in the interest of his people, in "order to avoid excitement, that RIEL "should not be a candidate.

"(Signed), A. A. DORION."

And again on the 5th of January the following despatch :—

"FORT GARRY, 5th January, 1874.

"HON. A. A. DORION,—Have seen "Archbishop. He thinks matter can be "arranged if amnesty granted, or written "promise of it within short and definite "period, but not otherwise. He has "written. You can communicate with "RIEL through Father LACOMB, at Mon- "treal, who knows where he is.

"(Signed), A. MORRIS."

Now, he (Mr. BOWELL) had read these extracts to show that whatever their predecessors might have done, the present Government were apt pupils, and followed in their footsteps in their endeavors to secure as much support from the North West as they possibly could; but there was one point in connection with this that had yet been unexplained. He believed it was on the 16th April last that a motion for the expulsion of RIEL from this House was passed. On the same day a motion was made by the hon. member for Lisgar, that a writ for the election of a member to represent Provencher be issued immediately. Why that writ was withheld, and why the orders of the House were not complied with, he supposed the MINISTER OF JUSTICE or the PREMIER could inform them; but it was a fact that it was not issued until late—if his memory served him, the 16th of July—and the writ was not returnable until the 10th day of September; why the issuing of the writ should be delayed for four months he left it to the Ministry to say. His own impression was that they were in hopes that in the meantime some arrangement could be entered into, as these communications showed, by which they could get RIEL out of the way, or they might accomplish that which Mr. DORION and his colleagues desired. The ARCHBISHOP said they had an understanding that an amnesty should be granted. The whole tenor of the speech of the first Minister went to show that the late Government had promised directly and indirectly an amnesty. What he (Mr. BOWELL) held was this: Though they had promised an amnesty and though they might have stated in their negotiations with Archbishop TACHE and Father RICHOT that the Imperial Government would grant an amnesty, and they would use their best efforts in order to procure such, he (Mr. BOWELL) held that the crime with which some of the parties stood charged was of such a character as not to justify either the late or present or Home Government in granting a total amnesty for that crime. Nor was there anything that occurred afterwards, either in their enrolling themselves and offering their services to the Lieutenant-Governor of Manitoba, or in their pretended loyalty during the time of the Fenian invasion that condoned the offence of which they were charged. It was his purpose to look at the other side of this question of amnesty, and they would see, more particularly from the despatch of HIS EXCELLENCY the GOVERNOR-GENERAL, and the reply to that despatch from Lord CARNARVON, that the inference drawn from the evidence which has been read by the Prime Minister is certainly not that which was drawn by those two high authorities. The first proclamation of amnesty, and the only one which was ever issued, and of which there has been so much misunderstanding in the country, was that of the 6th December, 1869, and it must be borne in mind that SCOTT was murdered on the 4th of March, that Archbishop TACHE did not arrive in the North-West until the 9th March, 1870, and that on the 9th June His Lordship wrote to the Secretary of State, the late Mr. HOWE, that he had promised an amnesty for all offences which had taken place, and all crimes which had been committed, before he arrived there. It is also shewn that Mr. HOWE, instead of acknowledging the correctness of the position taken by the ARCHBISHOP, denied it, and told him distinctly that his declaration was made upon his own responsibility. Without reading Mr. HOWE's despatch the House would see from that of the GOVERNOR-GENERAL to Lord CARNARVON, this language, which he took to be the best authority it was possible to obtain on this question:

"Immediately, Mr. HOWE, the Secretary of State, received the information of the promise made by His Lordship to RIEL and LEPINE, he warned him that he had done so on his own responsibility, and without the authority of the Canadian Government."

That certainly is not the conclusion which the PREMIER drew from the despatch sent to Archbishop TACHE on this question another day to bear out his assertion that the Government acquiesced, by their

silence, in the promise which the Archbishop had made. Lord DUFFERIN also said in reference to the Archbishop's argument in which he laid very great stress on what he said were promises made to them:

"I confess I do not think that His Lordship's arguments can be sustained. In the first place, the Archbishop's claim to such extensive powers is certainly invalid."

Again, he says in the same despatch, paragraph 13:

"There is certainly no intimation in his instructions that he was authorized to promulgate a pardon, in the QUEEN'S name, for a capital felony, still less could it be contended that he was empowered to expunge, of his own mere motion, a principal term from a Royal Proclamation."

Upon this same question Lord DUFFERIN proceeds as follows, in the same despatch:

"It would seem impossible to expand the permission thus conveyed to the Bishop by Sir JOHN, to promise the rebels protection from the monetary demands of the Hudson Bay Company, into an authority to condone such a savage murder as that of SCOTT'S. But even were this point to be conceded, there would still remain an insurmountable difficulty in the way of proving Monseigneur TACHÉ'S case. The terms of pardon, both in Lord LISGAR'S Proclamation and Sir JOHN'S letter, were made conditional, in the one, 'on the immediate and peaceable obedience and dispersion of the insurgents,' and in the other 'on the restoration of the Company's Government.'"

It must be borne in mind that the GOVERNOR GENERAL had given this matter a very great deal of attention, and if we are to suppose that this despatch was written without the knowledge and consent of his Council, he supposed they might argue they were responsible also for the utterances made in it. In paragraph 19 they found the following strong language:—

"Under these circumstances, I am of opinion that the Crown is not committed to the pardon of the murderers of SCOTT, upon the ground that the Archbishop was in any sense authorized to made a promise to that effect."

Lord CARNARVON took the same view of this question. On page 37 of the blue book the following language appears:—

"I may observe, in the first place, that it is obvious that neither the proclamation intended to be issued, but from certain causes not published, at Fort Garry, in 1869, nor the correspondence cited in paragraphs 4 to 7 of your despatch, are in any way applicable to the condition of affairs which arose when, some time subsequently, the atrocious murder of SCOTT was committed. Nor can anything promised to the murderers (although in good faith) by Archbishop TACHE, nor any impression or understanding that he or others may have formed of the purport of conversations or communications with individual Ministers, be deemed to have in any way pledged the Crown to extend an amnesty to acts which had not even been heard of by the Dominion Government, when he received the letters instructing him as to his proceedings at Fort Garry, and which on full examination could not fail to appear to be such as the QUEEN (if the Imperial Government should be required to act) could not be advised to leave unpunished. As Archbishop TACHE'S connection with this affair constitutes the first of the five reasons alleged for amnesty, I will now dispose of it by observing that with all respect for his honesty and good intentions, it is impossible to admit that he had any sufficient ground for believing that the Crown, or the Colonial Government acting for the Crown, did or could delegate to him, or to any other unofficial person, or indeed to anyone, as to a Plenipotentiary, an unlimited power of pardoning crimes, of whatever atrocity, not even known to have been committed. And your opinion that the Crown is in no way committed by any promises given by Archbishop TACHE is the only one which I can consider tenable."

Upon this question it appeared to him that the whole argument of the first Minister was based on the presumed promise which had been made by the Ministers of the Crown, officially or otherwise, to the delegates from the North-West, and this declaration sets the whole matter at rest. Lord CARNARVON is fully in accord with the GOVERNOR-GENERAL in his declaration that the Crown could not be held to any such promise. He had laid before the House the deliberate opinion conveyed in a state paper sent by the GOVERNOR-GENERAL, it was to be supposed with the

consent of his advisors, and the reply of the Colonial Secretary thereto, which should of themselves be sufficient to convince the House, no matter what conversations had passed between Ministers and delegates from the North-West, that the Government were not justified in asking the House to adopt the resolution submitted to it. Let them now turn to the declarations of the Ministers themselves. Mr. LANGEVIN, who certainly urged on his colleagues the granting of an amnesty, if they were to accept his statements, and who threatened to resign if it were not granted, said in his evidence:

"I am not aware of any promise of amnesty having been made by the Government of Canada further than that contained in the proclamation of 6th December, 1869, or of any promise by any member of the Government on behalf of the Government."

This was a sufficiently explicit denial. But Mr. LANGEVIN went further, and said:

"I had not at any time, nor, so far as I am aware, had any of my colleagues, made any promise of an amnesty to Archbishop TACHE, Father RITCHOT, or any other party. I do not know of anything of the kind, and this statement covers the whole ground since the 6th December, 1869."

Mr. LANGEVIN then proceeds:

"In every conversation I had with Archbishop TACHE, he always stated to me that Sir GEORGE CARTIER and Sir JOHN MACDONALD, when they received, on behalf of the Canadian Government, the delegates from the people of the North-West, had promised an amnesty, but on enquiry of my colleagues, Sir GEORGE CARTIER and Sir JOHN MACDONALD, I must say that they always told me that no such promise was made."

It was quite clear that Archbishop TACHE, in giving his evidence, told what he thought was correct, and the ARCHBISHOP and Father RICHOT became so anxious about the amnesty that it became a monomania with them, and they believed that during the conversations which had taken place between Ministers and themselves, promises had been made. On page 106 of the Blue Book, the evidence of Sir JOHN MACDONALD was printed, and it was one of the few portions of the evidence which was not given in narrative form. He believed the question was put by the member for South Bruce; it appeared in the following form:

Question.—Did the Canadian Government or you, as a member thereof, hold out to the delegates that the Government would use their good offices in endeavouring to secure an amnesty?

Answer.—Neither the Canadian Government nor I gave any such assurance to the delegates.

There was no unofficial expression of a desire that the amnesty should be granted by the Imperial Government. On the contrary, the opinion had been expressed to the delegates that the state of public feeling was such as to render the granting of the amnesty impossible."

On pages 100, 101 and 102 there were the following portions of evidence given by Sir JOHN MACDONALD:

"All requests to the Government on this subject were pressed with a view to include those parties who were charged with complicity in the death of SCOTT. The GOVERNOR GENERAL and his advisers held that the amnesty as proclaimed did not cover that charge; and it seemed to be the opinion of every one interested that a proclamation expressly excluding the parties last referred to would do more harm than good. * * * *

"The proclamation was called a general amnesty, but we understood it to mean a promise of amnesty for the offences referred to in it. I do not think the contingency of a death having occurred before the date of the proclamation was contemplated when it issued, and I do not think its terms would have covered a capital felony. The proclamation would not have covered such a case as the death of Scott."

Now, placing these positive declarations of Ministers, together with the deductions which were drawn from them by the GOVERNOR-GENERAL in his despatch, and Lord CARNARVON'S answer to it, it clearly appeared that no such promise as that mentioned by the First Minister in his speech on the resolution now before the House could by any possibility be deduced from them. There was, however, perhaps a more important point in connection with that question, and one of a more serious character, viz., the affidavit

made by Father RICHOT in connection with amnesty. He (Mr. BOWELL), must express his surprise at the language used by the First Minister when discussing this point. If he understood the hon. gentleman aright, he stated that the rev. gentleman, in making that affidavit, was correct in everything he had sworn to; and that Lord LISGAR, Sir CLINTON MURDOCH and Sir GEORGE CARTIER, in their positive denial that any promise of amnesty was made were wrong, and he, Father RICHOT, was right. The PREMIER had forgotten, in the testimony given before the North-West Committee, one of the witnesses, a gentleman who was not all likely to misrepresent the rev. gentleman—Mr. SULTE—stated distinctly that Father RICHOT said after his interview with HIS EXCELLENCY and Sir CLINTON MURDOCH, "As I don't understand English very well, I am not satisfied with what HIS EXCELLENCY said to me at our interview." Now, in opposition to the evidence of Father RICHOT, to which the honorable Premier gave so much weight, we have the declaration of Lord LISGAR himself. He said: "I have in recollection the inter-"view which I had with the Rev. ABBE "RITCHOT upon your introduction and in "your presence.

"He dwelt earnestly upon two points.

"*First.* The redress of the political "grievances of the inhabitants of the "Red River Settlement, with especial "reference, as I understood, to land grants.

"*Second.* On an assurance of the exer-"cise of the Royal Prerogative of mercy "to cover all offences.

"With regard to the first point, I gave "him satisfactory assurances of the favor-"able dispositions of the Canadian Govern-"ment and Legislature, as indeed evidenced "by the passing of the Manitoba Act. "With regard to the second point, I stated "I was not in a position to give him any "assurance, not having received instruc-"tions on the subject from HER MAJESTY'S "Government.

"I promised to forward, without delay, "the petition he spoke of as in prepara-"tion, and stated that I felt sure HER "MAJESTY'S Government would give full "and serious consideration to any plea "which might be urged on behalf of the "view he advocated.

"I am quite clear that neither on the "occasion in question, nor on any other "did I give an assurance or promise of an "amnesty to cover all offences committed "during the insurrection."

Further, Sir CLINTON MURDOCH in his letter to the Under Secretary of the Colonies, stated:

"I have no recollection of any promise "or expectation of an amnesty to RIEL "and his associates having been held out "by Lord LISGAR, when Mr. RITCHOT "had an interview with him, in my pre-"sence or at any other time. I scarcely "think if such a promise had been made I "could have failed to notice it at the time "or to recollect it now. As regards Sir "GEORGE CARTIER, I do not remember "having ever had any conversation with "him on the subject, or being present at "any interview when it was discussed "between him and Lord LISGAR."

The late Sir GEORGE E. CARTIER also had stated in his letter, an extract of which had been laid before the North West Committee by the Right Hon. Sir JOHN A. MACDONALD that he made no promise of any amnesty. He merely stated that he would not fail to forward to HER MAJESTY the petition for an amnesty to which Father RITCHOT alluded, and then he added:

"Bear in mind that with Father "RITCHOT and the Archbishop I always "took the same ground we both did—"namely that the question of amnesty "was not for our decision, but for the "QUEEN and Imperial Government."

Now, taking these portions of the evidence, and then referring again to Lord DUFFERIN'S despatch upon this same question, we found that he did not hesitate to give his opinion in reference to the late Sir GEORGE CARTIER'S position. His Lordship said:

"It does not appear from the evidence that he (SIR GEORGE) made any specific promise in respect to the murder of SCOTT." This proof he thought was clear and to the point upon the question of amnesty. Lord CARNARVON also treated upon this question, and in referring to the conversation between the Archbishop and the late Government, and after having studied the whole question, and read the despatch from this country, His Lordship said:

"As to the second plea, based upon alleged conversations held in 1870 by Abbe

RITCHOT, Archbishop TACHE and others, with the GOVERNOR-GENERAL and Members of the Dominion Government, I had occasion some time ago to examine the statements made on both sides, and I formed then, and still hold the distinct opinion that the misapprehension on the part of Abbe RITCHOT (from whatever cause it proceeded) of the statements made to him, was so complete as to have led him entirely to misrepresent not only the views but the language of the GOVERNOR GENERAL and of other officers of the Government."

With these facts before the Premier and having studied as he must have done with a good deal of care the despatch of Lord DUFFERIN, and the reply of Lord CARNARVON, he (Mr. BOWELL) thought the House had cause to marvel at the manner in which the Premier had treated this portion of the question, namely, by placing the evidence of a gentleman with a very imperfect knowledge of the English language, the language in which the interview had taken place, against that of the GOVERNOR-GENERAL and Sir CLINTON MURDOCH, and the deductions drawn from the whole evidence by the GOVERNOR-GENERAL and by Lord CARNARVON. However, it was a matter of taste for the Premier to assume that position, and he had no doubt that if it was necessary to go farther in order to retain his followers upon this as upon other questions, that the Premier would not hesitate to do so. But there was other evidence which though perhaps not so important of itself, yet with the followers of the hon. gentleman might have as much weight as, if not more, than the opinion of the GOVERNOR-GENERAL or the Colonial Secretary. He referred to the opinion expressed by the Ontario organ of the Government, though whether it was to continue to be the organ was a question, seeing that the new Liberal paper of Ontario appeared to be high in their favour, judging from the fact that it contained the gist of the resolution before the House one day before the *Globe*. However, the *Globe* was still good authority for the views of the Government, although there appeared to be two leaders on the opposite side of the House, with two organs, and that journal stated that there was not a particle of evidence either in the pamphlet published by Archbishop TACHE, or the letter subsequently published by RIEL or in the evidence before the North-West Committee to establish a promise of amnesty. The statement of that journal was as follows:

"It will be seen that the more that is written on this question the more clearly it is proved that there was no promise of amnesty. All the Archbishop's witnesses are against him, and it is a rule of law that a man is bound by his own evidence. Without even hearing the other side, therefore, the Archbishop, is non-suited. We doubt if any abler advocate can be found than the Archbishop, and if he shall have failed to establish the existence of an amnesty, and a grievance affecting RIEL, we doubt if any good can come of placing an impossible task in less skillful hands. One is strongly reminded in reading the Archbishop's pamphlet of what a great lawyer once said to his junior—'We have no case, therefore the less we say the better, for if we say anything we shall only make more clear how completely we are without a leg to stand on.'"

In reference to the letter published by LOUIS RIEL, the same journal said, speaking as they had a right to presume for the Cabinet:

"There is no new evidence adduced, and there is not even a pretence of anything like a written promise having been accorded."

And in reference to the evidence produced before the North-West Committee, that paper stated:

"The reader cannot fail to have observed, (1) That no direct proof of any kind can apparently be brought forward to prove the promise of amnesty. (2) That four years having elapsed, and Archbishop TACHÉ being well informed on the subject, is almost conclusive against the existence of any such proof. (3) That the proof relied on is hearsay evidence of the most unreliable kind."

He begged to draw the attention of the House to the fact that when the Hon. Premier was reading with so much force that portion of the evidence of Archbishop TACHÉ, in reference to the interview with the late Government, the impression that he seemed desirous of making was, that the Archbishop had the interview himself, where as it was only the hearsay evidence of others. He had quoted these extracts on the part of the leading journal of the Government party in Ontario to show that even that

journal, that was as anxious as any one could be to fasten upon the late Government the fact of their having promised an amnesty in order to damage them in the country, was compelled to say that there was not a single ground upon which to base a charge that an amnesty had been promised. The next point that the Premier discussed was the assertion that the so-called Government of LOUIS RIEL was a *de facto* Government, and therefore whatever might have been done by it, partook of a political rather than a civil character. Now, even admitting that it was a *de facto* Government, would that justify the murder in cold blood of one of our citizens? Upon this point, HIS EXCELLENCY the GOVERNOR-GENERAL in his despatch used this language:

"But though these proceedings thus received a certain sanction at the hands of the representatives of the population of the North West, it does not appear to me to affect RIEL'S culpability with respect to SCOTT. In the first place, as has been very clearly laid down by the Chief Justice of Manitoba in his charge to the jury on the LEPINE trial, it is not possible for any lawful executive authority to spring into existence within HER MAJESTY'S Dominions, unless it emanates from herself. Without, however, laying too much stress upon the purely legal aspect of this part of the question, it is very evident that the killing of SCOTT was not an exercise of jurisdiction known to any form of law, but an inhuman slaughter of an innocent man, aggravated by circumstances of extraordinary brutality."

Lord CARNARVON also discussed this point very clearly. He stated:—

"The third plea that the murderers of SCOTT represented a *de facto* Government, and are consequently excusable on political grounds, is one which I cannot for a moment entertain. There could be within the Queen's possessions in North America no power or pretence of establishing a *de facto* Government, independent of, or defying HER MAJESTY and her officers, which could aspire to any such immunity as that claimed; and any argument based on the view of such a state of things being possible, is in my opinion not even worthy of discussion."

His Lordship also stated, in reference to the receiving of the aid of these men during the threatened Fenian raid—and these remarks of His Lordship were the best reply to the arguments of the Premier, that when a body of men like those who had been in rebellion in the North-West offered their services to the State, and their services were accepted, that the offences they had previously committed were thereby condoned—an argument which, if of any force at all, should if carried out logically, have led to a complete amnesty. His Lordship stated:

"Admitting that Mr. ARCHIBALD dealt with these persons as with any other members of the community, received valuable assistance from them, and not only formally thanked them, but promised them a temporary immunity from the consequences of their crime; I feel no hesitation in concluding that neither these transactions, nor even any further promise (if he had made one), of endeavouring to procure for them an amnesty, can be held to have placed the Crown under any obligation absolutely to condone so disgraceful a crime as that which they had committed."

He (Mr. BOWELL) contented himself with reading these portions of the despatches in reply to the argument of the First Minister as a reason why amnesty should be granted. But he could go farther, and state that it could have been established before the North-west Committee, had the question been allowed to have been proved that the offering of the services of LOUIS RIEL and his compatriots was an after thought. That offer was only given after the Fenians had been driven from British territory, and that it would be madness on their part to have attempted to take part in the raid. The proclamation in reference to this matter was issued on the 3rd October, 1871. On the 5th between two and three hundred men were marching to the frontier, and it was only on the 7th that RIEL and LEPINE wrote to the Governor. It was true that Father RITCHOT had written before that to the Governor, but the affidavit of one FRANCOIS CHARRETTE sworn to before J. H. ASHDOWN, J. P., of Winnipeg, shewed conclusively that these parties were in league with O'DONOHUE, and those connected with him, and it was only when they found that it would be madness on their part to join them that they offered their services to the Governor.

It might perhaps be as well on this point to read the affidavit he had referred to. It was as follows :

" I, FRANCOIS CHARRETTE, of the parish of St. Norbert, make oath and say, that at the Church of PERE RITCHOT, on Sunday, the 8th day of October, 1871, I was present, and in the morning before service commenced, I heard LOUIS RIEL say to a number of half-breeds who were assembled outside the church : " You see," said he, " that our friend O'DONOHUE is taken prisoner at Pembina. He has always been our friend, and we should fight for him and try and get him released."

PIERRE DELORME said : " Our O'DONOHUE is a prisoner, and we can do nothing as the English are stronger than we. But the best thing we can do is to go and see the Governor and to offer him our services, to show that as we can do nothing for O'DONOHUE we are all on his side now." To this RIEL agreed, and they all went away to see the Governor. From what I have heard RIEL and others say, I know that it was the intention of him and his party to join O'DONOHUE and the Fenians.

FRANCOIS CHARRETTE.

"Sworn before me at Winnipeg, this 12th day of October, 1871, and interpreted and thoroughly understood by the above FRANCOIS CHARRETTE.

J. H. ASHDOWN, J. P."

Now, if there was any force in that affidavit and in the fact that these men did not offer their services till the Fenians were driven from the country, he could not see that they were entitled to any consideration for what was only an assumed loyalty. In view of all these facts the question for this House to decide was whether a five years' banishment was a sufficient punishment for the crime with which these men were charged. He held that the position that they occupied now was much worse than it would be after these resolutions were passed, and carried into effect. If the telegrams received from Manitoba were to be relied on—and from our knowledge of what had been done there in the past it was evident they were correct—the papers declaring RIEL an outlaw had yesterday been read in Court, and he was therefore now an outlaw. Then with regard to LEPINE, if these resolutions were carried out, in place of two years' imprisonment and permanent deprivation of his political rights, he would after five years be restored to all the rights and privileges of any British subject. What was this crime of which this man stood charged? He was not a little surprised, as he thought every member of the House must be, to hear the Premier declare with considerable vehemence that neither he nor any one of his colleagues or Party ever tried to make political capital out of this question. Such an assertion, he was bound to say, could not be received with the same dependence as that which were generally placed upon the utterances of the First Minister of the Crown. Looking for a moment at the opinions held of this crime by the different persons who had considered this question, he would commence with that of HIS EXCELLENCY the GOVERNOR-GENERAL himself—and he supposed he had the right to refer to that opinion. He would quote only from the communications placed before the House, in which he found HIS EXCELLENCY saying, in his despatch of 10th December: " At the time this instrument (that is, the proclamation of Lord LISGAR) was placed in the hands of these gentlemen (that is, Vicar-General THIBAULT, Colonel De SALABERRY, and Mr. DONALD SMITH), no blood had been shed, nor any very heinous crime committed." HIS EXCELLENCY says in the same despatch that Archbishop TACHE had no authority to condone such a savage murder as that of SCOTT. Again he says the offer of an amnesty must have been communicated to RIEL before the accomplishment of that tragedy. He says further that " the killing of SCOTT was not an exercise of jurisdiction known to any form of law, but an inhuman slaughter of an innocent man, aggravated by circumstances of extraordinary brutality."

These were the deliberate opinions of one who had studied this question from the beginning to the end. His Excellency also said, in paragraph 27, page 12, of this despatch, speaking of the murder :—

" The utmost alleged against SCOTT is that he used violent language in prison, and that he had alluded to an intention of capturing RIEL and retaining him as a hostage for the release of the prisoners already referred to ; but even these allegations were not proved, nor, had they been proved ten times over, could they

have rendered him liable to serious punishment."

His Excellency, speaking still of this murder, further said :—

"The further details of the tragedy are so horrible, if the statements in the evidence can be relied on, that I will not shock your Lordship by repeating them ; suffice it to say, that all the special pleading in the world will not prove the killing of SCOTT to be anything else than a cruel, wicked and unnecessary crime."

Lord CARNARVON was equally explicit upon this point, and repeatedly in his despatches he designated it as a brutal and atrocious crime. He spoke of it as a murder no less than five times in the course of his remarks, and wound up by saying that "such a murder as that of SCOTT cannot be allowed to go unpunished." He also said, looking at the matter from an entirely independent point of view—

"It has been a source of much pain to many who, like myself, take pride in the public institutions of Canada, to hear of the Legislature being disgraced by the election to the House of Commons and the presence within its walls of a criminal like RIEL ; and I wholly fail to understand how any section of the Canadian people, of whatever race or creed, can so far mistake the true character of these unhappy proceedings as to throw over them the color of patriotism.

He (Mr. BOWELL) was not aware, indeed, whether those gentlemen were not educated to the use of this strong language by those who now occupied the Treasury Benches. He found, on reference to the record, that the hon. the Premier did not hesitate, when he was discussing the question of the murder of SCOTT to use language equally strong and pointed as that of Lord DUFFERIN and the Earl of CARNARVON—language certainly not in accord with that he used to-night. It must have surprised every one in the House to hear the Premier speak of "the gentlemen who governed that country previous to the troops going there." The gentlemen, forsooth ! When speaking of them from this (the Opposition) side of the House, and of the events which occurred in that part of the world, he made use of the term ruffians ! He did not know whether the Premier had changed his mind, or whether his change of language arose from the fact that he had exchanged seats with the right hon. the member for Kingston and taken the salary attaching to the position. He did not know whether the change had taught him to use other language, and cultivate those influences which in the past he pretended to despise. Of course he had no objection, and the House and country would have no objection to the hon. gentleman's improving in all the language that he might use, but he found that the hon. gentleman termed it in his speeches in the West a murder, and that he was going to do everything he possibly could to have these murderers arrested. When the hon. gentleman was Treasurer of Ontario, in speaking of this same man he now designated a gentleman, he said that RIEL would either be apprehended and brought to justice by means of the $5,000, or be compelled to hide from the light of day his coward face and crime-stained hands. If he was to be driven from the country never again to be seen in Canada, he (Mr. BOWELL) was of opinion that when the Premier's Minister of Justice was in communication with a reverend gentleman who knew where RIEL was, and could put his hands on him, he was equally guilty with the Minister of Justice who sent RIEL one thousand dollars.

Hon. Mr. MACKENZIE—Does the hon. member say I have been communicating with some rev. gentleman about RIEL ?

Mr. BOWELL said the idea that he desired to convey was that if the present Premier's Minister of Justice, with the knowledge, he presumed, of the Premier, had an interview either by himself (that was, the Minister of Justice) with Rev. Mr. LASCOMB, and could have had him brought to justice—

Hon. Mr. MACKENZIE—I tell the hon. gentleman I did not know where RIEL was, and if I had known he would have been arrested.

Mr. BOWELL said he was obliged to conclude, then, that Hon. Mr. DORION, when he was making promises on behalf of the Cabinet, and entering into negotiations with Governor MORRIS and Archbishop TACHE to get this man out of the way, was acting on his own responsibility, and they were then as they were now, setting the whole principle of responsible Government at defiance, in throwing on the shoulders of others that which they

should assume themselves. Of course, if the Premier placed himself in that position, he (Mr. BOWELL) could have no fault to find. He dealt with facts as they existed, and if the Premier's Minister of Justice failed to arrest RIEL when he could have done so, the hon. gentleman (the Premier) should have visited him with the same condemnation as he did the Minister of Justice in the old Government, knowing, as he must have known (because he had the evidence in his possession) that Hon. Mr DORION pursued such a course. The Premier, in a speech in Lambton, told the electors he would do what he could do to bring the murderers of SCOTT to justice. The hon. gentleman would hardly attempt to say that when he made that speech he made it for political purposes. The hon. member for South Bruce did not hesitate upon every occasion when an opportunity presented itself of using the strongest language that he could command, and when he said that he was using a strong expression, for he believed there was no man in the House or country who knew better how to use language than that gentleman in speaking on a question of this kind. They found the Premier to-night, in his attempts to justify what had been done in the North-West, telling the House that there was nothing done during the Manitoba insurrection that was not equalled in the rebellion of 1837-38. He admitted there were crimes perpetrated in 1837-8 which deserved punishment such as the perpetrators received, but he denied that there was a death or anything that bore a parallel to the atrocity of that crime committed in the North-West. There were deaths, he admitted, but they occurred in fight, and he repeated, as he stated in this House before, that if SCOTT had been shot upon the plains in resisting those who were in revolt at the time, and in anything like fight, there would have been some reason for the arguments now used in order to grant an amnesty; but SCOTT was taken into a cell where there was no possibility of his doing anything that could injure them, and not, as the excuse offered for him by the Premier when he said he was put to death because it was feared SCOTT might do something wrong towards the then powers in that country.

Hon. Mr. MACKENZIE—The hon. gentleman must not misrepresent me.

Mr. BOWELL—That is a strong expression. I took the words down.

Hon. Mr. MACKENZIE—I said that the killing of SCOTT was accompanied with unnecessary cruelty. I said there was no conceivable reason to me why they should put him to death unless it was for fear of some approximate cause. I said that was the only possible reason they could give. I never said it was a proper reason.

Mr. BOWELL said the hon. gentleman must have known from the evidence that SCOTT was at the time of his death in a position that he could not by any possibility have done anything to injure them. He was in a dungeon, manacled, and was brought before the tribunal in that state. He knew very little of the language used in his sham trial. The declaration on the part of LEPINE was that some one, two or three must be put to death in order to impress upon the Canadian Government the fact that they were sincere, and that they were in earnest in what they were doing. Now, he (Mr. BOWELL) held that the Premier knew these facts when he gave them as an indirect reason for SCOTT's death that he desired to convey to the House the impression that he did not hold the same strong opinions that he at one time expressed in this House and outside of it on this subject. The hon. member for South Bruce certainly used this question in more places than one. He designated it in this House as a cold-blooded murder.

Hon. Mr. BLAKE—Hear, hear.

Mr. BOWELL—He designated RIEL as one guilty of murder.

Hon. Mr. BLAKE—Hear, hear.

Mr. BOWELL said he was glad to hear him say "Hear, hear," for if he held the same opinions now he would not vote for the Premier's resolution to condone RIEL's crime and leave him in a position to sit in this House and draw the public money.

Hon. Mr. BLAKE—He applied to the proper Minister of Justice to supply the money.

Mr. BOWELL said he condemned the action of the former Minister of Justice, as he did that of the present Premier and his colleagues, and if the same means had been taken to catch RIEL that had been employed to get him here, he would now be in the same position as LEPINE or perhaps worse. The former Minister of Justice did wrong to send money to RIEL,

but he was astonished that the member for South Bruce, with all his political morality and honesty, should support a Minister of Justice who had been, directly or indirectly, in communication with this same murderer. On the 11th April, the hon. member for South Bruce said the murder of SCOTT was perpetrated on the ground of pure personal revenge, and in another speech at Bowmanville, he remarked the murdered man was murdered for his loyalty to his QUEEN and country, and for that alone.

Hon. Mr. MITCHELL—Who said that?

Mr. BOWELL—The hon. member for South Bruce, of course. He referred to it, because that hon. gentleman was the power behind the Throne. The same hon. gentleman in this House remarked that the murder of SCOTT was an unprovoked and damnable murder.

Hon. Mr. BLAKE—Hear, hear!

Mr. BOWELL said he was glad to hear the hon. gentleman say "hear, hear," and he was sure the hon. gentleman would not vote for a resolution which would say to RIEL, "You can go to the States for five years, and come back again to enjoy all the rights of a loyal citizen. Then, on the 30th January, the member for South Bruce remarked, "It was no ordinary murder; it was no murder for money, or for any of those causes which usually provoke a great crime." He (Mr. BOWELL) could go on reading these extracts, but he thought he had quoted enough to show the opinion Mr. BLAKE formerly held of RIEL's crime. Chief Justice WOOD, who the Hon. Mr. DORION declared a most impartial man, and free from prejudice, in sentencing LEPINE, said:

"An unlawful, ordinary homicide is a startling and shocking occurrence in a civilized and Christian community, but the killing of SCOTT is taken out of the category of common homicides. So dreadful and so horrible was it that even those who at first felt disposed to sympathise with the cause of the insurrectionary movement would not believe it possible until the dark deed was perpetrated. The knowledge of it sent a thrill of horror throughout the Dominion of Canada and the civilized world, and struck the hearts of the settlers of Red River with shuddering terror, and although now over four years have passed away, that crime is still regarded by the people of Red River and the Dominion of Canada with unabated abhorrence, and not a solitary individual has ever dared to speak or write a single sentence, I will not say of justification, but even in extenuation, palliation, excuse or apology of its enormity, and the evidence given on your trial, instead of relieving, has added to and increased the dark shadows surrounding that awful tragedy. In your defence they were allowed the widest latitude, but to the credit of human nature and to the honour of the profession be it said, during their entire defence they had not one syllable of justification or apology to offer for the awful crime of which you have been convicted; indeed, I do not believe twenty respectable French Metis can be found in the whole Red River settlement who would not have come to the same conclusion. PERE RITCHOT swears he advised you and others of the risk and the danger you incurred in the movement in which you and your confreres were engaged. For what was done by you and your associates from that time onward, whatever may be said as to what was done prior thereto, you and your associates stand before the world without a shadow of excuse or justification. You would not heed the warning—you would not listen to what you knew was the truth. You imprisoned, and I may say from what has been disclosed on this trial, tortured those even innocent of actively opposing your mad proceedings. You robbed HER MAJESTY'S loyal subjects of their property, and plundered whenever you could do so with impunity. And lastly, you crowned the long catalogue of your crimes with the slaughter of THOMAS SCOTT, for no other offence than loyalty to his QUEEN. Had you taken the advice of your brother BAPTISTE on that fatal evening of the 3rd of March, you would not now be where you are. You did not spare poor SCOTT You did not think of, or if you did, you did not regard his poor old mother or his relations. Where his ashes repose you may know, but we do not. Whether his body was made away with so as not to be found, to be set up as a defence, as has been done on this trial, or because it was so mangled and mutilated that even you were ashamed it should ever be seen, is unknown. Taking all the facts in evidence together, well might the ever-to-be-lamented Sir GEORGE E. CARTIER, in a private and confidential communication to Lord LISGAR, say, the killing of SCOTT

was an excessive abuse of power and cruel brutality. You, unlike SCOTT, will not be forced to prepare to leave this and enter the invisible world in a few short hours. When the Rev. Mr. YOUNG came to you like an angel of mercy, and with streaming eyes begged you to spare SCOTT'S life only for a few short hours to enable him to prepare to meet his GOD, you, inhumanly denied and refused his request with a brevity and emphasis in keeping with every act surrounding this human butchery. After SCOTT'S death, this same messenger of Heaven, bathed in tears, went to RIEL along with the Bishop of Rupert's Land, and humbly implored RIEL to give him the body that he might give it the last sad rites of the Church, intimating that he was about writing to his poor old mother the untimely death of her son, and that it would be a consolation to her to know that her son had received Christian burial. To all entreaties to spare life for a few short hours before death, and to give the body for burial after death, you were alike inflexible. Search the annals of the barbarous tribes which for centuries have roamed over the vast prairies of the North-West, and in them you will fail to find a parallel in savage atrocity." Now, the Premier must have known all these facts when he framed, or allowed some one else to frame those resolutions for him, asking for an amnesty to be granted. He believed the people of this country were unanimous in wishing to grant an amnesty to every one implicated in the Manitoba rebellion except the four men concerned in this savage and damnable butchery. Did any one suppose that even if this resolution were passed it would settle the question? Did the Premier suppose for a moment that those who took the extreme view in favor of RIEL would not the very next session bring in a motion to relieve this gentleman from his political disabilities. (Ministerial cries of "hear, hear.")

Mr. BOWELL said that he had used the expression by mistake, and there was just this difference between himself and the Premier—that the latter did not.

Hon. Mr. MACKENZIE—I am quite sure if I used the expression I used it inadvertently. I never intended to call RIEL a gentleman.

Mr. BOWELL, continuing, said he was not prepared, considering the fact that the country had been agitated from one end to the other by hon. gentlemen opposite on this subject for no other than political purposes, to accept a milder penalty for the four men implicated in the SCOTT murder than can be obtained. But why should O'DONOHUE receive severe punishment while his colleagues escaped with banishment from the country for five years? The answer which would be given was that O'DONOHUE was a Fenian. He did not hesitate to say that if O'DONOHUE had belonged to the same nationality as LEPINE and his comrades, he would not have been visited with perpetual banishment. While he held that no punishment could be too great to visit upon those who took part in the Fenian raid, the facts showed that O'DONOHUE went there with the knowledge of those who were about to be pardoned, and that they were equally guilty with him, only they possessed less courage. If O'DONOHUE was to receive perpetual banishment, which he richly deserved, so also ought those who were connected with him in the movement, and were guilty of murder. If this difficult question could be wiped out it would be a fortunate circumstance, not only for Parliament, but for the country, but when he found that the party supporting the Government never ceased year after year to agitate this question through the country, and at length ascended to power mainly by that means, he was not prepared to give them credit for either patriotism or kindly feeling towards those whom they now desired should go unwhipped of justice. If the same opportunity was again presented to that party to stump the country on that question, they would prey upon the passions of the people of Ontario, if they could secure political advancement thereby. Knowing what that party had done in the past, and what they would be ready to do in the future, if the opportunity presented itself, he was not prepared to accept the resolutions moved by the First Minister, nor did he believe they would be acceptable to a majority of the people of Ontario, however much they might be supported by members who were driven to voting for them from fear of breaking up the Administration, and the still greater fear that members of another party would occupy their seats on the Treasury Benches, who would govern the country

much better than the present Government, and much more in accordance with their professions when out of office. The prediction which he had made during the last political canvass was being verified, viz. : that the very moment the Ontario elections were over, and the Government had secured all the constituencies that could possibly be secured, LEPINE would be reprieved. No sooner were the Ontario elections closed than the fact of LEPINE'S reprieve was promulgated through the Official Gazette. By watching the course of events and knowing the past history of the party in power, he knew moreover that before it was possible for the Quebec elections to be brought on the Government would introduce some scheme for granting an amnesty in order to enable their friends in Lower Canada to go to the polls with the declaration made by the hon. member for Jacques Cartier some time ago at a public meeting, that it was only from the Liberal party that an amnesty could be expected, if any should ever be proclaimed. That had also come to pass. The whole scheme for the pardon of LEPINE was purposely kept back until after the Ontario elections, and it was now brought forward before the Quebec elections, and members would hear the parishes of Lower Canada ringing with declarations of the love which the Government had displayed for their countrymen in the North-West, and shown themselves friends and allies of the Metis.

Mr. PLUMB rose amid cries of question. He said that in a debate of so much importance the House had a right to expect to hear from the members supporting the Government, some remarks in justification of the extraordinary resolutions which had been submitted. He could quite imagine the difficulties under which the Premier labored when he rose to support the resolutions which he had brought forward. The hon. gentleman would remember the course which he and his friends pursued, and in view of their past professions he (Mr. PLUMB) was not prepared for the course which had been pursued. It required all the courage, not to say the audacity, of the hon. gentleman to enable him to introduce his resolutions. The people had been surprised to find that immediately after the Ontario elections had taken place an extra Gazette was issued, giving notice of the commutation of the sentence passed on LEPINE, and their surprise was increased when, on examining the papers and despatches brought down, it appeared that on the 15th of January the Minister of Justice was directed to commute the sentence. The reason why that direction was not published to the world in the Gazette of the following Saturday, was found in the fact that immediately after that date there was to be an election in Ontario, and it was supposed no doubt that the publication of that commutation of sentence would have an effect on the result of that election. It was extraordinary under all the circumstances that the announcements should not have been inserted in the Gazette in the regular way, instead of its being published three or four days afterwards in an extra. Those who had taken an interest in the late elections would have been glad to know that it was intended to commute LEPINE'S sentence, for that question of commutation was a prominent one during the canvass. When the Government found themselves brought face to face with that question, beyond a possibility of evading it, a question upon which they had ridden to power in Ontario, it was very convenient for them to find ample reason why His Excellency the GOVERNOR GENERAL should deal with it, and why he should throw his mantle of protection around them, and save them in some measure from taking that responsibility which they were bound to assume before the country, and which the country would hold them to. The GOVERNOR GENERAL, with that kindness which he had shown on all occasions, was perhaps very willing to remove this vexed question from the region of political discussion, while, in doing so, he felt he was supporting a weak-kneed Ministry that had not the power of doing the work itself. In postponing the publication of that announcement of commutation until it should suit the convenience of a political Party in a certain portion of the Dominion, the life of LEPINE might have been sacrified, because the Chief Justice of Manitoba was obliged to interfere and respite the prisoner in order to allow of the receipt of the official notice of commutation of sentence. A man's life was thus trifled with to serve political purposes ; there was a week's delay, during which time LEPINE was lying under sentence of death. This was a kind of cruelty which was only

something less atrocious than the murder committed by LEPINE and his associates. A perusal of the papers laid on the table of the House showed that the members of the late Ministry might be content to rest their case, so far as blame might attach to them, on the despatches which accompanied the commutation of sentence. It was very evident that at the outset an impression went abroad into the country that the judgment concerning the commutation had been taken without the advice or suggestion of the Ministry; but such was not found to be the actual fact. That impression was not confirmed by the despatches of HIS EXCELLENCY the GOVERNOR-GENERAL, and in his despatch to Lord CARNARVON there were the following words: "The reasons for which my Ministers are desirous of seeking your Lordship's assistance are founded on the fact of the circumstances out of which the 'amnesty question, has grown, having occurred at a time anterior to the assumption by Canada of the Government of the North West." It was thus seen that HIS EXCELLENCY the GOVERNOR-GENERAL did not seek the assistance of Lord CARNARVON, but his Ministers sought it; and therefore the responsibility must rest with them of having removed the decision of the question from themselves, and placed it in other hands. Reference had been made in the despatches to feelings of antagonism and irritation that existed in this country on this question. If such was the case, who were responsible for exciting such feelings? It was these gentlemen opposite and their friends who had made the SCOTT murder a political cry in the elections, and had raised it to the position of a grave political question. Such being the fact, they should now bear the responsibility of their own conduct, and not seek to shirk it by throwing the blame upon their predecessors. He would like to see this question settled, but those who had brought it so prominently before the public, and made it an embarrassing question, should bear the responsibility of settling it. A great deal had been said about a promise of amnesty by the late Government, but there was nothing that he could find in the evidence to establish such a promise. Garbled extracts of the evidence might be ingeniously connected together with a view to make an impression, but the fact remained that a promise of amnesty had not been proved. That being the case, it devolved upon the present Government to deal with the question upon its merits, and they could not divest themselves of their responsibility by any attempts to throw it upon their predecessors. He was somewhat surprised at the reference to the agreement which he said had been entered into between RIEL and Sir GEORGE CARTIER that the former should vacate Provencher in favour of the latter, because the terms of that arrangement had nothing to do wih the question of amnesty or with the murder of SCOTT, but only had reference to the occupation of certain lands of the *Metis*. Sir GEORGE CARTIER never acknowledged the telegram which was sent by RIEL and his friends, but telegraphed back to Governor ARCHIBALD. It had been said that the fact that RIEL and his friends had aided the Government at a time when a Fenian raid was threatened, was a good reason for the condonation of their offences. That in his opinion was the only point which had been made which in the slightest degree could justify amnesty; but he found that Lord CARNARVON in his despatch did not consider even that a sufficient reason for condoning the offence. While perhaps under the circumstances it might be best to do something in order to allay the feeling that existed in the country for many years in regard to this affair and prevent further agitation, he did not think the resolutions now before the House at all met the case in a proper way. He was not bound by his constituents to any special or peculiar view of this question, but he had no doubt that other members were differently situated. He had no doubt that the murder of SCOTT was entirely unjustifiable. He adverted to a quarrel which had occurred between RIEL and SCOTT, and related the circumstances connected with SCOTT'S first arrest, his escape and subsequent re-capture and execution. He again expressed his opinion that the resolutions would not settle this difficult question in a manner satisfactory to the country, and he concluded by stating that he had spoken on this question without much previous preparation, and being unaccustomed to address the House especially on questions of this nature, he

craved the indulgence of hon. gentlemen.

Right Hon. Sir JOHN A. MACDONALD said he did not think that his hon. friend need ask the indulgence of the House, but if he had done so, it apparently had not been granted, because for the first time in his life had the majority in the House taken a course like that followed to-night. A subject of great importance to the future well-being of this country had been treated by gentlemen opposite with extraordinary levity, encouraged, he was sorry to say, by some Ministers of the Crown. He had listened with great attention, as it deserved, to the speech of the hon. Premier; but he had failed to gather from his elaborate speech whether the honorable gentleman held that the faith of the Crown of England was pledged to amnesty to the parties implicated in the rebellion in the North-West. The whole question turned upon that point, and the hon. gentleman did not explain himself satisfactorily upon it. He had not argued that the faith of the Crown was pledged. If the faith of the Crown was pledged to amnesty, then, no matter what the crime might be—no matter how atrocious it might be in its inception, and in its consummation—no matter how blameable the Government of the day might be in making that pledge—no matter with what condemnation he or his colleagues might be treated for making that pledge—if the honour of the Crown of England was pledged, then an amnesty ought to be extended to these men, and if extended to them it should be full and complete. There could not be a partial performance, an approximate performance, of the pledge—there could not be an approximate saving of the faith of the Crown, and therefore if the honour of the Crown was pledged to amnesty, that amnesty should be granted pure and simple without any conditions. The resolutions before the House did not say, and the Government upon whose responsibility they were brought down, did not think, that the honor or faith of the Crown had been pledged. The Premier attempted to draw a distinction between the honor of the Crown in Canada and the Imperial honor of the Crown. He said that although in a technical sense the honor of the Crown had not been pledged, yet it had been committed to an amnesty to all intents and purposes. HER MAJESTY did not wear two crowns, but one crown, and there was therefore but one way in which the honor of that crown could be said to be pledged, for there were no two kinds of honor attaching to it. The QUEEN was the sovereign of Great Britain, Ireland, and all their colonies and dependencies, and any pledge made on her behalf, whether by her Prime Minister in England or in the smallest dependency in the Empire, would not be broken. No obligation could exist here that did not exist in England. She was Sovereign of Canada, and every pledge made by him (Sir JOHN) when Premier, or by the gentleman now at the head of the Government, as her advisers for this portion of the Empire, could fail in being carried out to the utmost extent, no matter what the result be to the individuals or the parties concerned by that promise. Before discussing the resolutions placed before the House, he would ask leave to recall some of the circumstances connected with the annexation of the North-West to the Dominion of Canada. The Premier in his speech stated that there was something wrong in the course taken by the Dominion Government towards the people of Manitoba, and if the resistance they had offered to the taking possession of the country had taken a passive and not an active shape, the hon. gentleman indicated that he would perhaps have sympathized with it. He (Sir JOHN) denied that there was any force used from beginning to end, that there was one act of aggression, one act of wrong, one act that could not be justified. He heard an honourable gentleman laugh. Well, he could laugh if he could do nothing else.

Mr. YOUNG—What about the thousand dollars?

Sir JOHN MACDONALD—The hon. gentleman should not interrupt me; it is a want of manners, certainly. From the very first motion made by the Dominion to annex the territory of the North-West down to the time the late Government ceased to administer the affairs of the country, there was not one single act of theirs that he was not prepared to justify, and he was quite ready to do so just now, not only with respect to the thousand dollars, but with regard to every other act of the Government, of which he was a member, committed in that connection. The gaining of the union of that country to Canada

was no novel question. The late Government did not open it up for the first time. It had occupied the minds of the people of Canada for years and years. From the first time he (Sir JOHN) had entered Parliament, the people of Canada looked forward to a western extension of territory; and from the time he was first a Minister, in 1854, the question was brought up time and again, and pressed with great ability and force by the Hon. GEORGE BROWN, who was then a prominent man in Opposition to the Government, of which he (Sir JOHN) was a member. Not only was that question pressed upon the Government in the Parliament of Canada, but we had petitions from the people of the North West themselves praying to be relieved from the Hudson's Bay Company, and to be added to Canada. They would also find that missions were sent to England, and the rights of Canada were fought before a special committee of the House of Commons of England. In every part of Canada, as well as in the North West itself, there was a universal desire expressed that that country should be sooner or later added to the then Province of Canada. The First Minister would himself remember, and so would his hon. friend from South Ontario, the strong pressure by petitions which was brought to bear upon the Government of Canada and the Government of England, especially by Mr. MCISBISTER, who took a deep and special interest in the matter, setting forth the advantages which would result from the proposed union. The gentleman to whom he had alluded not only fought the question here in Canada but in England, at the Colonial Office, and in Parliament, and it was only after this that he gave up this struggle and addressed himself to other pursuits in which he attained great eminence. The question being so pressed, and continuing to be pressed upon the people and Legislature of Canada, and a Confederation of the Eastern Provinces having been effected, the Government of the day endeavored to enlarge our area in accordance with the wishes which had been thus expressed, and which had been acquiesced in by the Parliament of Canada. That this latter was the case was shewn by the resolutions adopted at Quebec, and it was the bounden duty of the Government of the day to carry out the expressed wishes of the people and Parliament of Canada, and the expressed wishes of the Imperial Government as conveyed to us, and add that country to the Dominion. Negotiations were accordingly opened with the Hudson's Bay Company. They were at first unwilling to deal with us. They desired to make the country a special preserve for their own special purposes, and it was only after strong pressure from HER MAJESTY'S Imperial Government that they consented, and we succeeded. Having acquired that country, the people of the North-West were aware of it, and offered no objection to it; indeed, if the evidence of Archbishop TACHE were referred to, it would be found that he said that until the feeling of dissatisfaction which led to the rebellion had arisen from the causes of which he spoke, there was a universal desire to join Canada, and be free from the rule of the Hudson's Bay Company. When the Government came to deal with that question they believed they had the voice of the people of Canada, and the voice of the people of the North-west in favor of their policy, and they would have been remiss in their duty had they refused to carry that desire into completion. He did not think there was a dissentient voice in the Parliament of Canada, from 1864 to 1867, as to the desirability of uniting with that country. Parliament voted the necessary means to obtain it. There was nothing aggressive in the course of the Government. There was no proposition to alter the tenure of property by the transfer to Canada. It was simply proposed to transfer to the Government of the Dominion all the powers which the Hudson's Bay Company previously had. Every settler was to have the same right that he had under the Council of Assiniboia. But there was this great advantage—that whereas from the first settlement of the country until the time of union with Canada, not a single man could get a free grant of land, or a freehold property in the country. It was proposed at the Union that every man having a lease from the Hudson's Bay Company, or being only tenant-at-will, should have a right to the freehold vested in his own person, thus enabling them to become the proprietors of the land. The arrangement was made. It received the sanction of Parliament and of the people. No objection was made to the price paid for it, but it was agreed upon all

hands that the bargain was a good one, and that the property had been obtained on reasonable conditions. It was accepted, too, as one that was fair to the people of the North-West and to the Hudson's Bay Company. The moment the arrangement was made and sanctioned by the British Government, that moment it became the duty of the Canadian Government to make arrangements for securing the Government of the country. That object was attained by passing a law which was probably one of the aggressive measures referred to by the leader of the Government; he thought, however, it met with general support in Parliament, if he remembered rightly, it was not opposed by the Opposition. Before, however, they attempted to carry out the law, a great calamity fell upon the country. A famine arose in the land. The crops were swept away by the locusts, and a cry for help came to us. The construction of the Dawson Road, beginning at Fort Garry and working eastward, was commenced so that the people of the North-West might be supplied with the means of existence. Mr. SNOW was sent out to take charge of the work. It had been charged as one of the causes of dissatisfaction that the people were paid with flour and provisions instead of money. That choice was made after due consideration, and he believed was a well advised measure. The Government knew the nature of the population of that country. They knew that the majority of them were half-breeds or Indians, and that there was great danger if we paid them with money instead of food, that they would spend it in the purchase of intoxicating liquors. To prevent this, supplies of food and clothing were sent to the country by the Government, to be distributed to the people at cost price. It was said that the cost of the supplies was too great, and that some of the articles were high-priced. That might be true, for they had been purchased on the nonce; there was no time to advertise for tenders, no time to make a bargain. Food must be had, somehow and soon, for the perishing multitudes. The purchases were made in the nearest market, in the United States. The desire to furnish those people with food was a humane one, and the steps taken in that direction were approved by Parliament. The next thing done was to send a party of surveyors down. Perhaps that might be one of the acts which the Premier regarded as aggressive. Before the Canadian Government resolved to send a surveyor into that land, they applied to the Hudson's Bay Company, who knew what the people were, and were in a position to offer an opinion on the subject. The Hudson's Bay Company willingly gave their consent to the sending down of the surveyors for the purpose of lotting out the land. What were the surveys made for! Why, for the purpose of marking out the farms of those men who were the tenants-at-will of the Hudson's Bay Company, to have legal instruments prepared on their behalf by the Surveyor-General, so that the moment the Government of Canada took possession of the country, they might each of them be freeholders. That was the other aggression and the only one committed by the Government of Canada in their attempt to aid that country, and to incorporate it as a portion of the Dominion. It had been agreed between the Hudson's Bay Company on the one hand, and England and Canada on the other hand, that upon some day to be fixed by HER MAJESTY the Union should take place. The day was not yet finally settled, when the Dominion Government sent the Hon. WILLIAM MACDOUGALL to the North West. It might be said that this was an act of aggression. They knew, however, that some time between October and January the Union would be perfected. When the Proclamation would appear in the London *Gazette*, or, at any rate, at the moment fixed by that Proclamation, the Government of the Hudson's Bay Company ended. Then and thereafter the country would be without a Government unless one were supplied from Canada. The Proclamation was to state that on and after a certain day the North West Territory was to cease to be the property of the Hudson's Bay Company, and to become a portion of the Dominion of Canada, to be ruled and governed by it. In view of that, the Government passed an Act enabling them to appoint a Lieutenant-Governor and a temporary Executive Council. They appointed the Hon. WM. MACDOUGALL, who was then a member of the Government, who gave considerable attention to the question of the North West, making the subject indeed a special study, and who was besides a man of

great ability, of wide Parliamentary knowledge and skill, and especially qualified to lay the foundation of a new Government in that country—that Government of necessity founded upon the same principle as our representative institutions. He was appointed early in October, so that he might go into the country as a private individual, while it was still under the Hudson's Bay Company, and before he had any authority whatever. The object in sending him so early was that he should inquire upon the spot what were the wants of the country—what the best course to be pursued at the time of assuming the Government—and for the purpose of preventing the country from being taken by surprise—for the purpose in short of giving him two or three months to ascertain what the feelings and desire of the country were, and what the best means of establishing friendly relations between the people of the North-West and the people of Canada. All that was frustrated by the publication of a false and invented rumour, and the beneficent design of the Government of Canada was prevented from being carried into execution by the extreme course taken by men then in opposition to the Government who for the sake of making political capital scarcely scrupled at anything. Under the circumstances, taking possession as we were of a new country it might have been supposed all Canadians would have been willing to accept their share in aiding the completion of so desirable an object—that party would have been forgotten for the time—that we should have confined our party struggles to this House, or at least to the Dominion, where it would have done no harm, and they would have been found aiding each other, as patriots and British subjects, to unite that country to us, and to satisfy it. From the moment, however, that Mr. MACDOUGALL left this country until the time of the rebellion, his footsteps were dogged, and the most erroneous views expressed regarding him. Mr. MACDOUGALL had no fair play at all. From the time he left Ottawa every action and utterance of his was misrepresented, and it was told in the North West that he had a personal feeling against the people of that country, and against one of the prevailing forms of religion there. It was said that he would give no fair play to that religion and that people, and thus the beneficient and benevolent designs of the Government of Canada were frustrated for vicious objects, and by vicious men. Then the occurrences of 1869-70 took place, and Mr. MACDOUGALL was excluded. No Government was formed; a *quasi*-rebellion arose; and the Government here at Ottawa had to deal with it. They dealt with it as best they could. They took every step that was within their power for the purpose of producing quiet, and allaying the fears of the people, with the view of disabusing them of the false impression created amongst them as to the way in which they would be treated if they became a portion of Canada. Messenger after messenger, with proclamation after proclamation was sent to them. HER MAJESTY interfered and caused the GOVERNOR-GENERAL to issue a proclamation in which it was alleged that HER MAJESTY was well assured that there was no disloyalty in the mind of the people, and that if they submitted to the Government, every wrong would be redressed, and that they would stand in the same position as the rest of the British Empire. They were specially invited by that proclamation to lay their grievances at the foot of the Throne through HER MAJESTY'S representatives on this continent; and if they dispersed and laid down their arms, they were assured that all would be forgotten and an amnesty granted. The proclamation did not arrive in the North-West so soon as it ought to have done, and when it did arrive there, it was never properly circulated. Thus it was that the delegation came to Ottawa, and that Sir GEORGE CARTIER and himself had met them. He was surprised to hear the statement of the Premier that the Government of Canada recognised the revolutionary power. The Government recognised the delegates appointed by a public meeting held at Fort Garry. The hon. gentleman must have forgotten, when he made the statement, that it was at the invitation of HIS EXCELLENCY the GOVERNOR-GENERAL, that that meeting was held, and not on account of any action of the Provisional Government or the revolutionary authority. It was attended by such men as Judge BLACK, a gentleman who was certainly not one of the discontented. He had been a judge of the land, and an officer of the Hudson's Bay Company, who had been dispossessed of his judicial position by the Pro-

visional Government, and would not have submitted to its authority except so far as he was forced to do by its being a power *de facto*. At that meeting delegates were appointed by the people on the invitation of the GOVERNOR-GENERAL by order of the QUEEN, and that deputation came here at the instance of HER MAJESTY, and in accordance with the proclamation. As was the duty of the Government, and in accordance with the instruction from England, they met that delegation. It was true that before that meeting Mr. RIEL had been appointed and had acted as President of the Provisional Government. The Provisional Government was not the result of political revulsion, but a Government of some kind had been formed, the Hudson's Bay Company having been dispossessed. The people, however, in the most riotous and illegal manner, prevented the entrance of Mr. MCDOUGALL, a British subject, into the country. This Provisional Government having been formed, they attempted of course to assert a position, and they gave to this delegation an authority over and above that conferred upon them by the resolutions passed at the public meeting referred to—the meeting which gave them their first and only legal authority to come to Ottawa, as would appear from his evidence, and it need not rest upon his evidence alone, for Judge BLACK who was now living in Scotland, could confirm every word that he said. The delegation stated that they had got such a document. He (Sir JOHN) told them that they must not produce it, that neither the Government of Canada nor the GOVERNOR GENERAL could recognize such a body as the Provisional Government. The document was an illegal one, and it must not be laid before the Government or mentioned. One could well understand the anxiety of RIEL and his friends that they should be recognized, but they were not. If the people of the North West had sent RIEL himself to lay their grievances at the feet of the GOVERNOR GENERAL, the Government and the GOVERNOR GENERAL would have received him, leaving him of course to run the risk of being captured and tried for any crime he might have committed. So cautious were the Government—and they had a right to be cautious—because they had to account for every step they took to the GOVERNOR GENERAL, who had HER MAJESTY'S instructions direct, with respect to this proclamation. There was a Bill of Rights prepared by the Provisional Government, but the Government of Canada declined to receive it, as they declined also to receive any authority emanating from that Provisional Council. The Government told the delegation that they had seen this Bill of Rights. That it had been published in the North-West and published in the papers of Canada. The Delegates might, in their peculiar capacity as representing the grievances in the North-West, press every one of the items contained in the Bill of Rights on its own merits, but without discussing them as emanating from any authority or to be regarded as a state document. Before, however, the publication to be made in the London Gazette, arrived in Ottawa the lamentable events which were the subject of this discussion took place—the murder of SCOTT took place, and he need not say that from that unhappy event all the subsequent troubles had arisen. When ARCHBISHOP TACHE came to Ottawa from Rome, at the invitation of the Canadian Government, he certainly performed a duty, and made a sacrifice, for which the best thanks of this country were due to him. He came from Rome at a most important crisis in the history of his Church for the purpose of aiding the Canadian Government in bringing about a settlement of the affairs of the North-West, and quietness and content amongst his people. It was unnecessary to say that the Government had the fullest and most unreserved communication with that gentleman. HIS GRACE proceeded to the North-West, having previously received such papers and instruments as were thought necessary to the accomplishment of his mission. He was told that the amnesty dated the 6th December, had been prevented from being disseminated, and that HIS EXCELLENCY had reason to believe that the beneficent feeling and intention of HER MAJESTY towards them had not been made known, but that they were kept in ignorance of her desires. He was furnished with copies of all the papers that had previously been sent to that country, and with copies of the proclamation. He was told to go to that country and say that the proclamation was still in force. At that time no bloodshed

that the Government knew of had taken place; no life had been lost that they were aware of. All that they knew was that there had been armed resistance to the entrance of certain British subjects into that country, and that the resistance was continued. It had been said that that proclamation was to cover all crimes. He left the answer to that to the despatch of His Excellency the GOVERNOR GENERAL and to the despatch of the Colonial Minister. They had dealt with it as any fair man, any man desiring to act in a judicial capacity must and would act if he dealt with it in the manner which these despatches indicated. Both Lord DUFFERIN and Lord CARNARVON say by no possibility could that proclamation, or could the communication of that proclamation, or the act of handing that proclamation to Archbishop TACHE, be held to cover crimes of a far higher and more serious nature than those designed by the very wording of the proclamation to be condoned and pardoned on the laying down of arms. And as one of those despatches states very truly the very fact that in his (Sir JOHN'S) letter of February 16th, he stated to Archbishop TACHE which he desired to contain, and which did contain, the whole, the sole and all the results of their conversation. In that letter he (Sir JOHN) stated if besides the disturbances that had taken place and the obstructions that had been offered to the entrance into that country of British subjects—if, in addition to the obstructions to the administration of the law, there had been (as the Government had good reason to believe) acts that they had heard and that Archbishop TACHE had heard of—that the insurrectionary forces were in possession of Fort Garry, and had broken into some of the Hudson's Bay Company's stores, and used some of the provisions for rations for their men, the Government of Canada would be willing to step between them and the Hudson's Bay Company and settle any claim the Company might press against them. But hon. gentlemen remarked what right had they to make such promises! He answered they had the right any Government possessed to make such promises in such an exigency, trusting to Parliament to sanction their measures if they thought under the circumstances it was for the good of the country to take that responsibility. He was quite well aware of the nature of the responsibility the Government had taken. He was quite well aware they might be attacked as joining, colluding, abetting, and aiding these insurrectionary proceedings by their course. He was well aware every step they took to obtain quiet possession of that country would be made the object of animadversion and reproach, but a man is unworthy of being concerned in the administration of public affairs if he will not assume responsibility, even if, for the moment, it involves great personal unpopularity to himself. The very fact, as the despatch says, that the amnesty of December 6th as indicated to Archbishop TACHE, extended the terms of it to the payment for any trespasses of that kind, excluded the idea and precluded the inference that any greater, or new or unknown crimes were to be contained, added to, included or inserted in the proclamation. That was the argument of the GOVERNOR GENERAL, and it was the only view that constitutionally and legally could be supported and maintained. Did any one suppose that because there must a certain time elapse between the time the proclamation was sent from Canada and the time it reached there, that the Government did not consider events were occurring of a similar nature to those that the amnesty covered? They knew perfectly well that by no magic act could the proclamation be conveyed in a moment and apply only to acts that had occurred up to the date of the proclamation. On placing it in Archbishop TACHE'S hands they knew time must elapse before he could get there and distribute it, and that the people would have a fair right to consider and hold that all that had been done within the terms of that proclamation would be condoned; but by neither common sense nor any principle of law could it be construed to cover crimes that had not yet been committed so far as had been known, in that country—crimes, they had no reason to suppose, were going to occur. And if they talked about the possibility of bloodshed in that country, it was in view of the necessity which might arise to suppress the insurrection by arms, for the Metis could not be allowed to establish permanently their Government there. HER MAJESTY'S power and authority must be vindicated, and possession of that country must be got, peaceably if

possible, but got at all events, and the Government knew that arms were to be used, then there would be bloodshed, and there never was any supposition,—it did not come within the scope of their conversation,—that there would be any bloodshed except in armed resistance to HER MAJESTY'S forces. Archbishop TACHE left Ottawa, and four days before he went into Manitoba, SCOTT was murdered. It was a lamentable event, and the atrocity of the events connected with the murder could not be exaggerated. It complicated matters. The prairie was on fire in that country. The Canadian party were in arms, and there was a thrill of horror throughout the length and breadth of the Dominion. The feeling that was then evoked was stimulated and kept up for political purposes by the political party now in power. If that party had thought more of their country and less upon getting themselves into power—if they had thought more of peace with the North-west and less of abusing the Government, this discussion would not have been required, and all the trouble, expense and heart-burning that had occurred since, would have been spared. The Government were made responsible and held responsible for the murder of SCOTT. The Government of the day were held responsible for bringing the parties to trial, and the Hon. Premier knew what it was all for,—knew that the Dominion Parliament had passed an Act giving representative institutions to Manitoba, giving that Province all the power, authority and jurisdiction that Ontario, Quebec, Nova Scotia or New Brunswick, had, though he knew the Government of the Dominion had no power in the administration of the law, that by the constitution under the British North America Act, all the administration of criminal law was vested in the local Government, that the Minister of Justice and the GOVERNOR-GENERAL had no power to take one single step in the punishment of the murderers of SCOTT—although the hon. Premier had before his eyes an instance of the powerlessness of the Dominion Government when one of their own members was shot down in the streets of Ottawa, and the Ontario Government alone possessed the power to arrest and punish the murderer of D'ARCY MCGEE—although the hon. Premier knew that the late Government had as great a desire as the hon. gentleman professed to have, he went through the country holding his (Sir JOHN'S) Government responsible for the failure to arrest and punish the murderers of SCOTT, charged with a dereliction of duty, charged with soiling their hands and dipping them in the blood of SCOTT. They were charged with attempting to save RIEL from the consequences of his crime, and held up as he (Sir JOHN) was at the polls during the elections as a man utterly regardless of the life of a fellow-subject. He (Sir JOHN) was charged with allowing a brother Ontarian to be brutally murdered in the North-West, and, as an Ontarian, on whom devolved the responsibility of punishing the murderer, with playing into the hands of the Metis to please the people of Lower Canada, who had made common cause with the insurrectionists. He was held guilty of a moral and political crime, and all this time it was known by the hon. gentlemen who made these accusations that he had no more power to arrest or punish RIEL than they themselves, who were then in opposition. And his triumph was now. He found these gentlemen who had so maligned him, and held him up to the scorn of his fellow-countrymen, who had tried to ruin him politically. These very men were now bringing into this House a resolution that he (Sir JOHN) would never have dared to propose in this House. Now it rested with them to deal with the murderer. He spoke from their point of view, as they did speak, and as they, if still in Opposition, would speak now. After SCOTT was killed the difficulty of Government arose. They had a great responsibility—an enormous responsibility. On the one hand there was a danger of an immediate rising in the North-West. It was the bounden duty of the Government to restore peace and order where discord and lawlessness had prevailed. It was their desire and their duty at the same time in the older portions of the Dominion, in Ontario especially, where the feeling was specially aroused—aroused in the manner so well described by the hon. member for North Hastings, not to shock the moral sense of the people there. They were well inclined. They were led to believe the Government had been guilty of negligence and slackness in their duty. What was there that they could do that they did not do? Would any hon. gentleman point to

any dereliction of their duty in the course they pursued? They could not indict Mr. RIEL or Mr. LEPINE for the murder of SCOTT. They could not approach them for the purpose of arresting them. They could not take a single step to urge the vindication of the law. That was thrown on the local advisers of the Governor of the Province at the time, and if they did not choose to follow up and vindicate the majesty of the law by apprehending the perpetrators of the offence, they (the Dominion Government) had no power whatever to force them to do so. The LIEUT.-GOVERNOR was obliged to choose as his advisors men who had the confidence of the people, and his Attorney-General took no steps, so far as they knew, to arrest the murderers. He was free to confess that the Government of the Dominion of that day did not press the Government of Manitoba to arrest these men. He wished this fact to be distinctly understood whatever might be the consequences of the statement. At that time, what was the condition of affairs! The majority of the whole people of Manitoba had been more or less concerned in the rising and establishment of the Provisional Government. Those who had not been immediately concerned in it sympathized with that rising. To have attempted to arrest the murderers would have caused another rising, and instead of the lamentable loss of a life there might have been hundreds lost. He did not wish to charge the Government of Manitoba of that day with dereliction of duty in not bringing these men to punishment at that time. He believed that if an attempt had been made, from the evidence that had since been elicited, there would have been a rising of the whole French population to protect these men, and they would have been joined, and could have obtained, the assistance of the Indians of the plains to aid them in the rising. Then we would have had a widespread devastation, an Indian war with all the horrors that attend Indian warfare. There was no statute of limitation for murder. The Government knew perfectly well that sooner or later, wherever British law exists, and British Sovereignty extends, the law would be vindicated, and he (Sir JOHN) knew perfectly well the arrest of the murderers could well be postponed till circumstances would allow of their punishment. As circumstances prove, the cause of justice lost nothing, and it is shown that the Government of the day exercised a wise discretion in not pressing the Government of Manitoba in the then condition of affairs, to proceed to the punishment of a single crime, irrespective of all the surrounding circumstances. The next subject that he would specially call attention to was the Fenian Raid. RIEL and LEPINE, the persons believed to be chiefly implicated in the murder of SCOTT, were hanging on the frontier, still keeping up the excitement, and were naturally desirous of escaping and being relieved from seeming outlawry—outlaw in fact, though not in law—in which they were placed. The Fenian raid took place, and at that time there was very considerable danger—much greater danger than it will ever appear to the public. Some sort of indication of the feeling that existed on the frontier was shown in the evidence of Archbishop TACHE when he stated that in the previous year, before the Fenian raid actually took place, while RIEL was still acting as President of the Provisional Government, while the insurrectionary powers had possession of the country—enormous inducements were offered to them to sever their connection with Britain and Canada. Bishop TACHE said he knew there were offers of four millions of money, and men to any extent, from the United States. Although that statement might be exaggerated; when he knew the desire of the people of the United States, to add to the domain of the States in Cuba, and when we saw what had occurred in Texas, we could see that large offers must have been made for the purpose of securing that country to the United States. So, when the Fenian invasion took place in October, 1871, although it was speedily dissipated by the prompt action of the United States Government, it was most formidable in its dimensions, and if it had not been for that exceptionally speedy action of the United States Government, it might have ravaged the North-West to an extent which can never been known. In consequence, perhaps, of the much-maligned Washington Treaty, there was a very friendly feeling in the United States towards Canada; but although the Fenian movement was speedily broken up at the time it was not entirely broken up. The Government here had information that those marauders were deter-

mined to invade that country after the close of navigation, at a time when we had not a single opportunity of sending a man or gun to resist them. We had in the country then one hundred men, and the force was subsequently increased to two hundred. It was in November, 1871, when Archbishop TACHE came here. He then believed that the withdrawal of RIEL from the frontier to the interior of the United States would be of benefit to the people of the North-West. If the people did not join the marauders, the country would be safe; whereas they were in continual fear and alarm that the discontent prevailing might induce them to join in the Fenian movement. If they read the evidence of Archbishop TACHE, it would appear that he could not say to what extent that dissatisfaction might spread; he held out that if those people were not satisfied, if the amnesty were not granted, and the wishes of the people complied with, he would not guarantee to what extent they might be limited, and the safety of the country be jeopardised. He (Sir JOHN) consulted with Sir GEORGE CARTIER, and after due deliberation they came to the conclusion that the best mode of avoiding the possibility of a union between the Fenians without and the malcontents within, would be to remove RIEL, the ex-President, the man of intellectual power and physical energy, from the frontier. He had no hesitation in saying that if he had to act again under the same circumstances he would pursue the same policy. The Government were responsible for the safety of the lives of the people of Manitoba, for the maintenance of peace in the country, and preventing a war of races —a barbarous and savage civil war. If, by the removal of RIEL to the interior of the United States, they were able to avoid these consequences, the Government deserved the thanks of the country for their action. Of course, they made themselves liable, when the facts came to be publicly enquired into, to all kinds of attacks. He was, however, prepared to meet those attacks. A publication in Ontario, from which the Premier ought not to have quoted unless he made the language used his own, said that he (Sir JOHN) ought to be placed in the dock equally with LEPINE and RIEL. Whether he should be placed in the dock charged as a criminal, he felt that, taking the course he did take, he was acting in his conscientious judgment as a Minister and man who desired to secure the peace of the country. He was not afraid to assume the responsibility of his acts. He was charged with compounding a felony. If he compounded a felony, was not Archbishop TACHE equally guilty of the crime? In thus attacking him (Sir JOHN) they paid a poor compliment to the patriotism of the Archbishop who had assisted him. The course pursued, however, was just such a one as a Government had a right to take, and the Premier should consult the representative of the Sovereign, who would state that such responsibility as he (Sir JOHN) had at that time assumed was frequently taken by the British Government. It was taken whenever there was necessity for it. *Salus populi suprema lex.* The safety of the people is the highest law. If he compounded a felony with respect to RIEL he did so equally with LEPINE. How, then, did it occur that LEPINE was brought to trial? He, however, was tried and found guilty. RIEL could be tried and found guilty. There is no statute of limitations which applies to murders. When he asked Archbishop TACHE to use his influence to withdraw RIEL and LEPINE from the frontier, he (Sir JOHN) was endeavouring to save the lives of the peaceable inhabitants of Manitoba, and was in no way condoning the offence. If there had been any condonation of the offence, why was it not proved at LEPINE'S trial, when able counsel were defending him. There was no condonation of the offence, and there was no promise of amnesty. If there had been any condonation, there would be no necessity of asking RIEL to retire from the frontier to the United States. It was because the Government of the day would not agree to grant an amnesty, it was because it adhered to that declaration from the beginning to the end, and because it said that under the circumstances the only power that could be asked to grant an amnesty was the Imperial Government, that the Government asked Archbishop TACHE to induce, by his influence, RIEL to retire until the spring should come, and communications were again opened between Canada and the North-West, and the Government had the opportunity of sending forces into the country. The Govern

ment desired that an immigration of settlers from Ontario, Quebec and the Maritime Provinces should flow in, who would be composed of men who were altogether unconnected with the quarrels and dissensions which had reigned in Manitoba, and until those new settlers should arrive, the Government desired to withdraw those discontented and dissatisfied men. That was the course adopted by the Government, and he was quite willing to assume his share of the responsibility in regard to it. Now with regard to the amnesty, he declined to be bound by statements of verbal conversation when there are written documents to speak for themselves. There was no safety for any man, or any Minister, or any Administration, if the written documents that were carefully prepared, describing the position of affairs were to be qualified by the casual recollections of men. Let the House look at his letter dated 16th February, 1870, in which he said :

"MY DEAR LORD,—Before you leave Ottawa on your mission of peace, I think it well to reduce to writing the subject of the conversation I had the honor to have with you this morning.

"I mark this letter "Private," in order that it may not be made a public document, to be called for by Parliament prematurely ; but you are quite at liberty to use it in such a manner as you may think most advantageous."

He (Sir JOHN continued,) stated distinctly what the Government would agree to, what they would not agree to, and he wound up by saying,

"In case a delegation is appointed to proceed to Ottawa, you can assure them that they will be kindly received, and their suggestions fully considered. Their expenses coming here and returning, and whilst staying in Ottawa, will be defrayed by us.

"You are authorized to state that the two years during which the present tariff shall remain undisturbed, will commence from the 1st January, 1871, instead of last January as first proposed.

"Should the question arise as to the consumption of any stores or goods belonging to the Hudson's Bay Company by the insurgents, you are authorized to inform the leaders that if the Company's Government is restored, not only will there be a general amnesty granted, but in case the Company should claim the payment for such stores, that the Canadian Government will stand between the insurgents and all harm."

That was written deliberately after all conversations had ceased, as the result of those conversations, and the conclusions to which the Government had come, and the final instructions with which Archbishop TACHE left Ottawa to proceed to the North-West. He declined to be bound by any statements made in conversation which were not contained in that letter. The danger to every one, to every Minister and man of business, if a contrary doctrine were admitted was obvious, and was especially shown in this case. Archbishop TACHE stood in a different position to Father RICHOT. The Archbishop was not implicated in the North-West troubles; he was absent from the country at the time of the rising, and he came as a messenger of peace. Father RITCHOT, on the other hand, while not implicated criminally in those unhappy affairs, sympathised with those who were in arms. He, therefore, came to Ottawa as one of themselves to state their grievances; and he had a most exaggerated idea of their grievances and their wrongs, and spoke as any one of those concerned in the rising would have spoken; besides, that reverend father spoke scarcely English. Father RICHOT stated that four individuals of more or less importance in this country had promised an amnesty. Lord LISGAR, he said, had promised an amnesty; the House had Lord LISGAR'S letter before it. Sir CLINTON MURDOCH, the special ambassador of HER MAJESTY, had, he said, promised an amnesty ; the House had his letter before it. Father RICHOT also stated that Sir GEORGE CARTIER had made a promise that an amnesty would be granted; the House had Sir GEORGE CARTIER'S letter and statement before it. He (Sir JOHN) would say nothing as to his own statement. Lord LISGAR and Sir CLINTON MURDOCH had their connection with Canada terminated, and were now absent from it, and their only desire would be, as English gentlemen, to state exactly the facts; and they stated distinctly that Father RICHOT was altogether wrong, though he did not charge that reverend

gentleman with making a wilful misstatement. They stated that Father RICHOT entirely misunderstood the matter, when he stated that they promised an amnesty, this being due to his imperfect knowledge of the English language or some other cause. As to Sir GEORGE CARTIER, situated as he was, he might not be supposed to be free from feeling respecting the subject. Sir GEORGE was now dead. Any one could say that he told one thing or another. He would say this, however, of Sir GEORGE CARTIER, that from the time he entered public life to the time he went to his grave, no man could say that he ever told a lie. If ever there was a man who was peculiar for his strict, religious regard for truth, it was Sir GEORGE. When Sir GEORGE, writing to him (Sir JOHN) from England when on his death-bed, penned the letter which had been laid before the North-West Committee, in which he stated that he had a distinct recollection that the Government had always held to the one opinion, viz., that no amnesty could be promised or given except by the Imperial Government, Sir GEORGE wrote the truth. When these were, therefore, the statements of Lord LISGAR, Sir CLINTON MURDOCH, and Sir GEORGE CARTIER, all to the effect that there was no promise of amnesty, the House would be satisfied that Father RITCHOT utterly misapprehended the tenor of the conversation. Besides, the papers themselves showed and the circumstances showed that there was no amnesty promised. Bishop TACHE left here in February 1871. The Archbishop stated in his evidence that he considered he had a right to offer a general amnesty. One word about the question of right. No one could exceed himself (Sir JOHN) in respect for that prelate. He believed Archbishop TACHE, who was a man high in his church and of bright and brilliant intellect, was a sincere lover of his country, and had a sincere desire to aid the Government of the day in restoring peace and harmony in the people of his diocese. When he left here he thought there would be little difficulty in quieting the dissensions there. He was away in Europe when the rising took place; he had no idea of its extent, and when he left here with the proclamation of 6th December, accompanied by his (Sir JOHN'S) letter and the assurance given in it, he was fully confident that his presence would dissipate the troubles and that peace and harmony would take the place of discord. When the Archbishop arrived in Manitoba, as his first letter showed, he found that he was woefully mistaken. The tide of events had rolled on so rapidly that there was a feeling of irritation and resistance that he could not control. He spoke in most pathetic, almost poetic, terms of the hopeless state in which he found his Diocese, and the state of discord in which he found those whom he had left full of good-nature, and the sense of despondency fell upon him. The Archbishop set to work to use his best efforts to remedy that sad state of affairs, and he made the promise of an amnesty. He felt that in doing so he was assuming a responsibility, which would be seen by his letter of 9th June, 1871. Had he got from Lord LISGAR, or from him, or from Sir GEORGE CARTIER the promise of an amnesty, and the authority to announce it he had nothing to do, but as a simple messenger to say: "I am the messenger of peace; I bring you tidings of amnesty; I have the authority of the Government of Canada for saying that you will be pardoned." He had no other responsibility, and yet in his letter of the 9th June, 1870, to the Hon. Mr. HOWE, he used this language:

"I hasten to communicate to you, for "the information of HIS EXCELLENCY in "Council, a very important promise I "have just made in the name of the Cana- "dian Government. I feel all the respon- "sibility I have incurred in taking such a "step, while on another hand I am confi- "dent that HIS EXCELLENCY the GOVER- "NOR-GENERAL and his Privy Council will "not judge with too much severity an act "accomplished in order to avoid great "misfortunes and secure the welfare of "the country."

Now, if he had been sent as a special messenger authorized to announce an amnesty, how could he say that he felt he was assuming an enormous responsibility in making the announcement, and express the hope that in view of the disturbed state of the country and his desire to introduce peace where there was discord the Government would not judge him too severely for assuming the responsibility he had assumed, but that they would endorse what he had done. He (Sir JOHN) wanted

no better proof than that letter of the statement made by Lord LISGAR and the rest of them, that there was no understanding of any kind, except that contained in his (Sir JOHN'S) letter and in the proclamation of December, 1869. The case, as put by Archbishop TACHE, and by the resolutions of the Premier was two-fold, and one portion defeated the other. We were told, in the first place, that there was a promise of amnesty, and yet in another portion of the resolutions we were told there was a sum of money offered in order to send the parties away from the frontier. Now, if there had been an amnesty what was the necessity for sending the parties away? It was simply because the Government would not agree to grant an amnesty, because the Government held that they had no power to grant an amnesty, that the only means of these parties getting what they wanted was by appealing to the Throne, that it was suggested that they should withdraw from the country. Again, it was alleged in the resolutions, and it was in the evidence, that he had agreed to go to England and to make the case of Mr. RIEL his own. If the Government had previously promised to grant an amnesty, how was it that his assurance was greedily sought for, that he would go home to England, and try all he could to get the Imperial Government to take the matter up? The statements were inconsistent. If they had promised an amnesty where was the necessity of his going to England? The very fact of its being put in the case of those claiming amnesty that he was going home to England to press the British Government to take up this question and grant an amnesty, was a distinct proof that no amnesty had been promised. He would go back for a moment to the question about the payment of money to induce RIEL to retire from the country. At the time he saw Archbishop TACHE, of course they both felt that it was a matter of very great delicacy. He asked the Archbishop, in the interests of peace, to use his great influence over RIEL to induce him to retire from the frontier for a time. The Archbishop accepted that task. He told him that it was to be a profound secret, and the Archbishop undertook the task. He was not inveigled into it; he was simply asked to use his great influence with Mr. RIEL to induce him to retire from the frontier, and the money was placed in his hands for the purpose of giving it to RIEL to meet his expenses while he was away. If that task had been skilfully performed the Government of Canada would have been relieved from difficulty, but it appeared from the Archbishop's evidence that there was no communication between him and these men until after £600 was forthcoming from the LIEUTENANT-GOVERNOR and Mr. DONALD A. SMITH. Why the Archbishop did not communicate with these men at once on his arrival in that country, and make an attempt to induce RIEL to leave the frontier, he (Sir JOHN) could not say, but at all events no steps were taken and no money paid, and these men remained on the frontier, still exciting the passions of the people till the £600 was paid. And why was that money paid? The evidence showed clearly why it was paid. Notice had been given in the Legislature of Ontario that a reward of $5,000 would be paid for the apprehension of RIEL. That announcement went up by telegraph to Manitoba, and immediately the prairie was on fire, immediately the Metis arose as one man. The offer of the reward was mere buncombe; those who offered it knew it was of no value whatever, that it would never be asked, that it could not be earned, that no process could be issued from Ontario, that there was no means of bringing these men to trial except upon the spot; and the offer of the reward was simply intended as a means to arouse the people of Ontario against the Government at Ottawa, and it was made utterly regardless of the consequences. What cared those gentlemen what might be the consequences of that course? What cared they what misery or ruin or bloodshed or war might be caused by this offer? What cared they for, save to get a miserable triumph over the Government of the day in Ontario? What cared they whether race was set against race, Frenchmen against Englishmen? What cared they whether fire and sword and ruin spread over the country if they could only show to the people of Ontario that they were vindicating the course of justice, that they were to avenge the murder of THOMAS SCOTT, that they were to bring the murderers to justice, while JOHN A. MACDONALD, sitting in Ottawa, and his colleagues, were wholly

regardless of their duty to their country in the administration of justice? And this course had its effect. The evidence showed that the people arose, that they declared that if RIEL was to be arrested, they would be arrested with him. They formed a body-guard around him, there was imminent danger of a rising—so imminent that the three first men in the colony—the LIEUTENANT-GOVERNOR, the ARCHBISHOP and Mr. SMITH, the chief of the Hudson's Bay Company, men who knew the ruin that would be caused by an uprising—joined together to take steps to prevent it. He charged upon the Ontario Government of that day that in consequence of this offer of a reward the people rose in their might, as it were, and rallied round RIEL, and declared that they would fight for him and die for him rather than he should be arrested. The danger was so great that these three gentlemen consulted together as to the best means to avert it, and they decided that by some means or other RIEL and LEPINE must be removed, and Archbishop TACHE said he could get them to go away if their expenses were paid. Then Mr. ARCHIBALD, as stated in his evidence, said that he would take the responsibility upon himself, that he did not know how it would be looked at in Ottawa, that he had no authority from the Dominion Government, but if Mr. SMITH would advance half the money he would run the risk of advancing the other half. For a time this course succeeded. These men went away for a short time to the United States. Mr. ARCHIBALD stated at the time the money was paid that they should stay away for five years. What he (Sir JOHN) had suggested the December previous was simply that they should stay away for one year. The money was paid, and the Archbishop agreed that he would do what he could to get these men to stay away for five years. Now, the Canadian Government did not know anything about this, and it was not till Mr. DONALD A. SMITH—as shown in his evidence, as well as in the evidence of Mr. ARCHIBALD and himself—had arrived in Ottawa long after these events were over that the Ottawa Government were aware of the course that had been taken. When Mr. D. A. SMITH informed him what had been done he at once—though the sum seemed a large one—stated that if Mr. ARCHIBALD, as representing the GOVERNOR-GENERAL, had pledged the faith of the Dominion Government, at least the Government should assume the responsibility of bearing the charge, and he believed so still, and the money was paid. With respect to this subject the Hon. Premier quoted with a flavor of malice a statement of his (Sir JOHN'S) that he "wished to GOD he could catch him" (RIEL), and he also professed to quote a speech of his to the effect that the offering of the reward by the Ontario Government had frightened away these men, and that we could not therefore catch them. Now, the hon. gentleman had not read his speech, or he had read it very carelessly. The only time he used the language so often quoted was at Peterborough, in the summer of 1872, in that tour which he took and which the hon. gentlemen had characterized, perhaps correctly, as being an unsuccessful one. In that speech he spoke of the reward, and said it was an unworthy attempt on the part of the Government of Ontario to make political capital at the expense of the peace of the North-West and of the whole Dominion, for the sake of gaining a party triumph. He, on that occasion, quoted the language that was attributed to the hon. member for South Bruce, to the effect that the reward had been of the greatest service, because it relieved the sacred soil of Canada from being trodden by a murderer. He quoted that remark, and followed it up by stating that he thought that rewards generally were offered for the purpose of catching people, and not for the purpose of inducing them to go away, and he told his audience a story which he would take the liberty of repeating. An Irishman out shooting, who was rather an unskillful shot, having missed his bird, exclaimed in disgust to the game-keeper, "At all events we make him lave that." He thought that was the whole result of the reward offered by gentlemen opposite.

Hon. Mr. MACKENZIE—It was you who made them "lave that."

Sir JOHN MACDONALD—It so happened that I utterly failed in that. We asked Archbishop TACHE to use his great influence to bring about that result, and we placed a sum of money in his hands for that purpose; but strange to say it was utterly valueless for that purpose. He thought so little of it that he did not

use a dollar of the money, and RIEL and LEPINE were in happy unconsciousness that we had ever sent them a dollar, or that there was a chance of getting this money. No money was offered to them to leave the country till after the reward of the Ontario Government had been offered, and then the money offered them was the £600 contributed by the three gentlemen he had referred to, and it was offered without the Canadian Government knowing anything about it, and it was that which sent these men away. The Canadian Government did not send them away; it was simply the proclamation of this reward which frightened them away; and not only that, but it frightened the gentlemen at the head of society in Manitoba, and induced them to offer a sum of money to hasten their departure, knowing, as these gentlemen did, that the ill-advised, unpatriotic, indecent course of the Government of Ontario was likely to cause war from one end of Manitoba to the other. He would now come to the resolutions. As he had said before, the hon. gentlemen must take one course or the other. They could not run with the hare and hunt with the hounds. They must say whether the faith of the Crown was pledged or not. If the pledge was given, then they were bound to see it was carried out, and an amnesty granted, no matter what the consequences might be. If the pledge had not been given, then they were bound in all honour and conscience to carry out their own ideas of what was right and just. What had been their attempt? They had attempted to drive the late Government from power because, as it was alleged, they were playing into the hands of Archbishop TACHE and RIEL, because they were giving aid and comfort to murderers,—because they were not exercising the whole power of the law to send them to jail and the gallows. The hon. gentlemen opposite, from Ontario, had declared on every stump and platform that the late Government were utterly unworthy of their position because they would not bring these men to the gallows. Then if no faith had been pledged, the present Government were bound as men of honour, as public men, as candidates for public confidence, to carry out their own pledges made to the people, when they declared that this wretched Government, this truckling Government, this French Government, this Government that was aiding rebellion, should be swept away because they would not bring these men to the gallows, and that they should take their places. One position or the other rested with them. They could not avoid the dilemma. They must either say, as the first part of these resolutions did, that there was an absolute promise of amnesty made—such a promise as was binding as pledging the faith of the Crown—and if so, then the amnesty must be granted; or they must carry out their pledges and promises to the country, and bring these men to justice. They could not avoid that dilemma. But what did these resolutions say? They declared that although the faith of the Crown was pledged, that although an amnesty was promised, still that faith was to be broken, and these men were to be punished. What the amount of punishment was, was quite another question. The actual punishment was nominal. The degradation involved in being a criminal exile from the country was indeed a great moral punishment, but the actual punishment, from the view of hon. gentlemen opposite, was a farce, and worse than a farce. If the United States had been a wild, barbarous country, then there might have been something like adequate punishment involved in the proposition to banish these men. It was said that in the early days of Canada, immediately after the revolutionary war, that somewhere near Ogdensburg, justice was administered in a very off-handed way by an old gentleman who fulfilled the duties of Justice of the Peace, and who, when any one was brought before him charged with any crime, used to declare with great solemnity: "Sir, you are banished off the face of GOD'S earth." When the criminal asked where he was to be sent to, he was told: "Well, I guess you must go to Canada." There might be something in that punishment in those days; but what punishment, in fact, was there in the sentence imposed upon these men by the resolutions of the hon. gentlemen opposite, that is to say, from their point of view. Every one knew perfectly well that there was a large emigration from Lower Canada, and also some from Upper Canada, to the United States already, and that there was an attempt being made in Lower Canada to bring these people back. That attempt

was only partially successful, because a great many of the people preferred to remain in the States. How small, then, must that punishment be for this atrocious murder, of which the hon. member for South Bruce had so frequently spoken throughout Western Canada, to declare to these men that they shall be allowed to cross the border, and live in as good a country as this; and he had no doubt that those who sympathized with the exiles would see that they were fully provided with the means of subsistence. We were here presented with the absurdity that while, in the first place, these resolutions stated that there was an absolute pledge of the Crown to amnesty, it was broken, and these men were to be punished. Although that punishment was a great moral degradation in one sense, in another sense it was really no punishment at all adequate for the murder, if the murderer was to be punished at all. But the resolutions were framed with an object. The object was to make things pleasant both in Upper and Lower Canada, and principle was to be sacrificed, promises and pledges were to be broken, in order that Upper Canada members of the Administration might be able to say to their Province: —"We have punished these men; we have vindicated the law, and they are banished to a foreign land." Again, in Lower Canada, they could say:—"We have done the best we could for you; we have sent these men to as good a country as our own, and the punishment is very light." He fancied what the Premier would say to his friends in Lower Canada. He would ask them:—"What did Sir JOHN MACDONALD do for these men? Nothing! They were outlawed, they were liable to be brought to the gallows, the rope was hanging from the scaffold, and they were trembling for their lives. What have we done for them, on the other hand? We have sent them to a very pleasant country, and no doubt they will have a pleasant time." And then if we should go with the Premier up to Sarnia, we should find him telling the people:—"The law has been vindicated. It is true I promised to see this man hanged, and insisted that Sir JOHN A. MACDONALD and his Government ought to be turned out of power because they would not hang him. I cannot hang him because of what Sir JOHN did and promised; however, we have given them such enormous punishment that we have driven them out of Paradise just as ADAM and EVE were driven out of Eden by the avenging angel. Therefore we have vindicated the law, and punished the atrocious murderers as they deserved; we have sent them over to the United States for five years." That was the tone that would be adopted by the Prime Minister in the West. He would like to know if the hon. gentleman was prepared to inform him whether these resolutions were to be moved in the other branch of the Legislature, or whether the GOVERNOR GENERAL was expected to act upon the address of this House alone. According to the theory of our constitutional Government each branch of the Legislature had co-ordinate rights. From the analogies of the English Parliament the House of Lords or the Upper House was particularly interested in matters connected with the administration of justice. He would therefore like to know whether the Senate was also to be asked to pass these resolutions. It was a little too much to suppose that this House alone was to guide and control this matter. His honorable friend would not answer him just now, but perhaps he would tell him to-morrow. However, when this subject was discussed in the Senate and in this House, the question might perhaps arise whether it was in the power of this House or the other House, or even in the power of HER MAJESTY, to impose five years' banishment in a case where there was no conviction. With respect to LEPINE, there could be no doubt if the authorities were examined that the Crown had no power to inflict punishment in this country. He thought if the hon. gentleman looked at the decisions and arguments in cases similar to this he would find the facts as had been stated. Even if these resolutions were adopted it was doubtful if it was not beyond the power of any Government or of the Crown to carry them into effect. He would only say a single word in reference to the unfairness of the Government in not adding to these resolutions all the promises and all the acts of the Dominion of Canada. If it were true that the fact of his having endeavoured to get Sir GEORGE CARTIER elected for Provencher should be recited in these resolutions, as one reason for granting the pardon, it ought also to be recited that a similar attempt made by Mr. DOR-

ION was another and an additional reason; and the hon. gentleman in drawing up these resolutions had not acted with that fairness towards those opposed to him which he no doubt felt inclined to do, and he hoped that the appeal to him, made by the hon. member for North Hastings might assure him of the propriety of adding to the resolutions all the negotiations that passed between Mr. DORION and Mr. RIEL directly or indirectly. He hoped his hon. friend would agree to that for it was but fair to the gentlemen of the Opposition. If the hon. gentleman would not do it in this way these communications and negotiations would at least be placed upon the journals in another way, and the journals would contain a record of the whole transactions between MR. DORION and Mr. RIEL with respect to Provencher. As to his (Sir JOHN'S) action in that matter, it appeared from the evidence of Archbishop TACHE and Mr. ARCHIBALD that when the news arrived of the defeat of Sir GEORGE CARTIER in East Montreal, it occurred to Mr. ARCHIBALD that it would be a good thing to have Sir GEORGE CARTIER elected for one of the constituencies in Manitoba. He stated so in his evidence, and that almost simultaneously, he received a telegram from him (Sir JOHN). Sir GEORGE CARTIER was at the time in Montreal, confined to his house by illness, unable even to assist in his own canvass. He was then in fact dying, but still he was true to his colleagues to the last, and ready to fight to the last, although he knew perfectly well that he was trembling on the brink of the grave. He (Sir JOHN) knew it better than did Sir GEORGE himself. He knew that the physicians would not tell Sir GEORGE that he was on the brink of the grave, and from his political acquaintance with him, that if he was defeated when he had reason to expect different and better treatment, the iron would enter his soul, and that it would operate injuriously on his failing health. And without Sir GEORGE knowing anything about it, he (Sir JOHN) sent that telegram to Mr. ARCHIBALD: "Get Sir GEORGE elected in your Province—do not, however, allow late Provisional resign in his favor." The reason he had used the word "Provisional" was that the telegram was sent in cypher, and the cypher contained no synonym for the name of RIEL, and he therefore had to find a word that could be understood in cypher, and at the same time would indicate RIEL. His telegram simply was this: "I desire to have a seat for Sir GEORGE CARTIER in your Province; take care that RIEL does not resign in his favour." Because, however anxious he was that SIR GEORGE CARTIER should be elected he did not desire that it should be supposed that he asked RIEL to resign in Sir GEORGE'S favour if he was to run for Provencher, where it was known RIEL and Attorney General CLARKE were candidates. Then with regard to the rest of the telegrams on this subject, it would be seen that there was not a single word said about RIEL. The telegram which he had referred to was sent on 4th September, and on the next day he received this reply from Mr. ARCHIBALD:

"5th September, 1872.

"Sir GEORGE can be elected by acclamation for Provencher if he feels free to say,—

"'That the settlers shall be continued in "'the exercise of all the rights they have "'been accustomed to enjoy in respect of "'the lands on the rear of their lots, and "'no sales or entries thereon shall be per-"'mitted till the question of those rights "'shall be settled and adjusted under the "'agreement with the delegates.

"'That no person shall be allowed to "'enter on the townships laid aside for the "'half-breeds from the date of their selec-"'tion, and any person entering after that "'to be removed by the Government "'authority.'

"The above, though ungracious to ask, "concedes nothing.

"The land where the hay privilege "exists is, with hardly an exception, "included in half-breed selections recently "laid aside with orders from Land Depart-"ment. These lands are already with-"drawn from market or entry (see Col. "DENNIS), and as to hay compensation it "ought to be settled before next haying, "and at all events, whether settled or not, "land cannot be sold or entered upon while "it remains a half-breed selection. "McMICKEN agrees with me that that "demand, though ungracious, amounts to "nothing. Please consult Sir GEORGE, "who, so far as I know has no cypher, and "reply immediately."

"(Signed),

A. G. ARCHIBALD.'

Then on the sixth of September in answer to the latter part of his first telegram Mr. ARCHIBALD telegraphed:

"6th September, 1872.

"Not proposed that either candidate "resign in favor of any person. Local "candidates, though determined to fight "each other, will give way to secure a "Cabinet Minister for representative, "thus acquiring for Province direct voice "in Cabinet.

"(Signed).

"A. G. ARCHIBALD."

He (Sir JOHN) communicated with Sir GEO. CARTIER in Montreal immediately, but didn't receive any answer, in consequence he supposes of Sir GEORGE'S ill health. Mr. ARCHIBALD telegraphed again in these terms:

"11th September, 1872.

"Is there any answer to my cypher "telegram? Time passing, and parties "anxious have telegraphed direct, re- "questing reply. (Signed),

"A. G. ARCHIBALD."

He (Sir JOHN) replied as follows:

"11th September, 1872.

"I have sent message to CARTIER, at "Montreal, to-day, and expect his answer "to-morrow by telegram. Offered several "seats here. A Minister ought, I think "to give no pledge; it is a question of "confidence altogether.

"(Signed),

"JOHN A. MACDONALD."

On the 12th of September he again telegraphed to Mr. ARCHIBALD:—

"Sir GEORGE will do all he can to "meet the wishes of the parties. This "statement should be satisfactory."

He (Sir JOHN) telegraphed on the 13th as follows:—

"Sir GEORGE, who is absent, agrees "with me as to pledges. It will be his "interest to secure the approbation of his "constituents, and he can be of more "service to them than any other man."

That reference to pledges (Sir JOHN continued) was to say that Sir GEORGE would make no pledges. Those were the communications that had passed between himself and Mr. ARCHIBALD, and his action was dictated by a desire to make his friend, who was on the verge of the grave, feel that in his last days he was not rejected from the Parliament in which he was so highly honored and esteemed. He had no cause to be ashamed or to regret the course he had taken in that matter, and to attempt to say that those communications involved the promise of an amnesty was absurd. All he asked was that Sir GEORGE CARTIER should be elected for some constituency in Manitoba, and that this man RIEL should not be asked specially to resign in his favor. If RIEL cared to retire in Sir GEORGE'S favor, that was no affair of his (Sir JOHN'S), but in no way was Sir GEORGE or himself committed to it. It was untruly said in the resolutions submitted to the House that Sir GEORGE CARTIER thanked RIEL. The resolution stated

"That thereafter and during the General Election of 1872, L. RIEL was contesting Provencher with Attorney General CLARKE, when, at the request of Sir JOHN A. MACDONALD, First Minister and Minister of Justice, Lieutenant-Governor ARCHIBALD arranged that both the said candidates should retire, in order that Sir G. E. CARTIER, Minister of Militia, might be elected for the County."

Such, however, was not the case. The resolutions went on to say: "And he was elected accordingly, and publicly received, and acknowledged the congratulations of L. RIEL and A. D. LEPINE on the event." But the truth was that Sir GEORGE E. CARTIER carefully avoided any such recognition. RIEL and CLARKE had retired, and it was the desire of the people of the constituency that they should be represented by so distinguished a man as Sir GEORGE CARTIER, who was at the same time a Minister of the Crown. But RIEL, having retired, he and three others sent Sir GEORGE a telegram of congratulation. Did Sir GEORGE answer that? Did he acknowledge that as stated in resolutions before the House, for it was only from that telegram that the statement made in the resolutions was founded? Sir GEORGE, on the contrary, instead of making any such recognition ignored the telegram altogether, and did not answer it, but he addressed a telegram to Archbishop TACHE, stating:

"Presume your Grace is one of the "friends who got me elected in Provencher; "accept my sincere thanks. Give thanks "for me to all friends, and especially to "those who were more instrumental in "securing election."

Did they mean to say that there was anything in that telegram conveying public acknowledgement of any special act of RIEL by Sir GEORGE CARTIER? He only desired that the whole facts should be brought out in dealing with this question; and, as Lord DUFFERIN had well said, the fact of paying $1,000 to RIEL, and asking the people of Provencher to elect Sir GEORGE CARTIER, could have no possible connection with the question of amnesty, and therefore such circumstances should not have been recited in those resolutions. There were three grounds on which he thought the resolutions would be opposed. In the first place, all those who thought that under the circumstances there was a positive amnesty promised, that the honor of the Crown was pledged to an absolute amnesty, would vote against the resolutions submitted to the House because a punishment was provided in them. On the other hand, all those who believed, as the hon. Premier once did, that this crime could only be punished by death, that an eye for an eye, a tooth for a tooth, and a head for a head, should be exacted—all those thought with the member for North Hastings that the law must be vindicated and murder must be punished—would vote against the resolutions because the punishment was a farce, if meant as a punishment for murder. He would suppose that the member for South Bruce and the Premier, and all those of Upper Canada that acted with him, and who had declared repeatedly before the country that this was an outrageous murder and must be punished by the execution of RIEL, would vote against the resolutions. He himself would vote against them for this reason—viz.: because the resolutions ought never to have been introduced into the House. The Government ought to have assumed the authority as the administration of the affairs of this country, of themselves recommending an amnesty and not come to Parliament at all. It was their duty, as the responsible advisers of the Crown, if they dealt with the matter at all, to have dealt with it as an Executive, and not thrown the responsibility upon Parliament. There was not a shadow of an excuse for hiding themselves behind Parliament. The hon. gentlemen opposite had assumed that the Canadian Government were competent to deal with this question. That was not the course which had been taken by the late Government. They had constantly held that the rebellion in the North-West and the murder of SCOTT had taken place before that country was a part of Canada, and that, therefore, the jurisdiction rested with the Imperial authorities and not with the Canadian Government. But hon. gentlemen opposite had assumed the responsibility of bringing this question before the House, and asking the members to vote for the resolutions, and in doing so they admitted the ground of objection which he had taken. Why, if they held that they were competent to bring the matter before Parliament, and were therefore responsible, should they have dealt with it as an Executive and in accordance with the constitutional doctrines on the subject? No one knew better than his hon. friend the member for Chateauguay how inadvisable it was that the questions of amnesty or pardon should be brought before Legislative bodies. That hon. gentleman and those who, like him, paid attention to those subjects, would remember the expression of Lord MACAULAY, who was an extreme Liberal, a man not disposed to lessen or belittle the influence, powers and prerogatives of Parliament. Lord MACAULAY had said that he would rather leave the pardoning power in the hands of the worst Government that ever existed than confer it on the best Parliament that ever existed. The pardoning power rested with the Crown itself. He would now call the attention of the House to several cases recorded in that most valuable repertory of constitutional law, Mr. TODD's book. One case there referred to was almost identical with the case of LEPINE, because he had been convicted on evidence, which, by the statements of Lord CARNARVON and Lord DUFFERIN, showed that the murder, though a violent one, was still of a political character. Those who were old enough would remember the FROST trials in England, when there was an uprising. FROST was the principal man in the affair, and was tried for constructive treason, and was sent to Botany Bay. It was a case in which certain people took a political stand, and it was pleaded in their defence that their offence was only a political one. There was a petition presented to the House of Commons, largely and respectably signed,

on their behalf; but it was decided that the pardoning power rested with the Crown alone, and that Parliament had no right to interfere, except, on the one hand, the Executive had previously acted, and their action had been regarded as entirely too severe; or, on the other hand, that it had been too lenient, and that it was in the interest of the country that Parliament should step in and remedy the abuse. With these exceptions, it was the accepted constitutional doctrine that Parliament should not interfere with the pardoning power. Now, it should be remembered that he (Sir JOHN) started out from this point, namely, that the Government would be perfectly justified had they declined to interfere at all in this matter, but had thrown the responsibility upon the Imperial Government; but having assumed the responsibility, then they should deal with the matter in a constitutional way. That way was by acting in their capacity as the Executive, and not by calling to their assistance the voice of Parliament. He would read to the House the observations made by Mr. TODD in his book, and a few of the cases cited therein. With reference to the prerogative of mercy Mr. TODD said:

"We have next to consider the prerogative of mercy which is a peculiar attribute of royalty, and is vested by statute in the Sovereign of England. All criminal offences are either against the QUEEN'S peace or against her Crown and dignity. She is therefore the proper person to prosecute for all public offences and breaches of the peace. Hence her prerogative of pardon, for it is reasonable that that person only who is injured should have the power of forgiving. But this, like every other prerogative of the British Crown, is held in trust for the welfare of the people, and is exercised only upon the advice of responsible Ministers."

"It is only under very exceptional and extraordinary circumstances that any interference by either House of Parliament with the exercise of this prerogative is justifiable. It was said by MACAULAY, that he would rather entrust it to the hands of the very worst Ministry that ever held office than allow it to be exercised under the direction of the very best House of Commons; and by Sir ROBERT PEEL that he would leave this prerogative in the hands of the Executive, considering that it was the right and duty of the House to interfere only 'if there be a suspicion that justice is perverted for corrupt purposes.'"

The following are some cases quoted by Mr. TODD:

"On July 11, 1820, Lord JOHN RUSSELL headed an address to the King for the liberation of Sir MANASSEH LOPEZ, when in prison under sentence of the Court of King's Bench for bribery and corruption, at the suit of the House of Commons. The Home Secretary (Lord CASTLEREAGH) opposed the motion, saying that 'whether the law should have its execution was the peculiar prerogative of the Crown, and the responsible servants of the Crown could not be justified in recommending the interposition of the royal mercy upon the mere suggestion of that House (he spoke it with perfect respect) any more than upon the application of the humblest individual of the land.' After some discussion the motion was withdrawn."

"On April 13, 1829, the Earl of CLANCARTY moved in the House of Lords for certain documents in the case of Mr. MACDONNELL, who had been sentenced to imprisonment for libel, but had been pardoned in the King's name, by the Lord Lieutenant of Ireland, under circumstances which, it was correctly reported, did not warrant abridgement of his term of imprisonment. The papers asked for would explain the facts of the case. The Duke of WELLINGTON (the Premier) opposed the motion. He stated that cases of this kind, though not entirely exempt from the inquisition of Parliament, ought to be least liable to inquiry by either House of any of the royal prerogatives; that in the present instance, no sufficient parliamentary ground had been shown to warrant the House in departing from its usual practice and principles not to inquire into the exercise of this branch of HIS MAJESTY'S prerogative."

On August 6th, 1839, Lord BROUGHAM proposed in the House of Lords some resolutions respecting the administration of criminal justice in Ireland, more particularly in respect to the principles which should guide the exercise of the prerogative of mercy, and declaring the mode in which

this prerogative ought to be administered. Notwithstanding the opposition of Government these resolutions were agreed to. On the following day, Lord JOHN RUSSELL (the Premier) adverted to this vote, and stated that the proposed practice in the mode of exercising the prerogative of mercy was utterly inconsistent with that which had hitherto been pursued by Secretaries of State in their recommendations to the Crown, and from which it would be exceedingly inconvenient to depart, and that it was not his intention to make any alteration whatever. If, instead of resolutions, a Bill had been passed, then, of course, he would be bound to obey the law."

Then, with respect to the Chartist prisoners in 1841, in reference to an attempt made to obtain from the Crown through the interposition of the House of Commons a remission of sentences, Lord ROBERT PEEL, although at that time in Opposition, strenuously opposed it.

"He urged that the consideration of "such cases should be left exclusively with "the Crown; that the Government, in "exercising the prerogative of mercy, ought "not to be influenced by any opinion which "the House of Commons might express; "and he asserted it to be a dangerous act "for the House to fetter the discretion and "judgment of the Crown by expressing any "recommendation on such subjects. Lord "JOHN RUSSELL (the Colonial Secretary) "also opposed the motion, and pointed out "the general ill effects of such an inter-"ference on the part of the House, although "admitting that there might be exceptional "cases. The motion for the address was "negatived by the casting vote of the "Speaker."

Then came the case of FROST and others to which he had referred, and with respect to which the text said:

"But MACAULAY, Sir ROBERT PEEL Lord JOHN RUSSELL and other leading statesmen, while admitting the abstract right of the House to advise as to the exercises of this or any other prerogative, all concurred in opposing the motion as being of a dangerous tendency, and a departure from the rule imposed upon themselves by former Houses of Commons of non-interference in the exercise of certain prerogatives which should be left to the unfettered discretion of the Crown. The Address was negatived by a large majority."

Those were some of the few cases which had been quoted by Mr. TODD in his valuable book, and they might be multiplied to any extent. While no one could deny the omnipotence of Parliament, and while it was admitted that exceptional cases might arise, in which Parliament would be justified in interfering, still it was clear that these exceptional cases had not arisen in England. There was no case which could be found where Parliament interfered in the exercise of the prerogative right of the Crown. If it was a dangerous precedent for any member to rise in the House in the interest of a prisoner, and apply for the consideration of his sentence, how much worse was it for the Ministry of the day, who had the whole power and responsibility in their hands, to come before Parliament and ask its interference. There was no excuse for it. It was an evasion of the Constitution, a surrender of the power of the Government, and an avoidance of their proper responsibility. If the Government had come to the conclusion that they should take action in the matter, they should have accepted the responsibility of so doing by addressing the Imperial Government on the subject; and when they had done so, if this House had considered that they had done wrong, then would be the time to pass a vote of censure, or in some other way express their disapprobation of the course pursued by the Executive. But there was no case to be found in which a Ministry in England endeavored to shirk the responsibility by acting in a case of this sort and throwing the responsibility upon Parliament. Not with his consent either would the Government in this case be allowed to so shirk their responsibility, but they would be held by him to the obligation imposed on them by the Constitution. This kind of evasion would not do, as had been well said by his hon. friend from North Hastings, the people of this country knew more than some people thought they did. They knew where the responsibility rested, and they would hold the persons bearing that responsibility to strict account.

Hon. Mr. MACKENZIE—We know we are responsible.

Sir JOHN MACDONALD—If the hon. gentleman knows he is responsible why come there at all? why introduce a practice unknown to the British Constitution, which is indeed abhorrent to the British Constitution. As

he had said before, he could quite understand that the friends of the party under punishment might come to Parliament and appeal against the action of the advisers of the Crown on the ground that the punishment was too severe ; but he never before heard, nor did any man read in English history, of Government coming to Parliament, and saying : "We know we are responsible, but we are in a bad fix ; we are in a hole, and we want you in the same hole with us." That was the course taken by the hon. gentleman, and he would find that when he next took an excursion into the country that he would have to justify his responsibility. He would also have to face the graver responsibility of subverting the principles of the Constitution. Had the Government submitted the question to the Imperial authorities, and not endeavored to shirk the responsibility, he would have been very strongly inclined to give them his support, although he knew the Hon. Premier would not have given him (Sir JOHN) his support under similar circumstances. At all events, he never did give the Government his support when he was in Opposition. He (Sir JOHN) hoped the gentlemen who now occupied the Opposition benches would be governed by other and higher principles, and that they would meet their opponents with fair argument and defend their views in a straightforward way. He had only one word more to say before he sat down, and that word was that it was one of the misfortunes of the discussions in our legislatures that there was a want of generosity in dealing with opponents. There was an asperity in our utterances and discussions which was unknown in England, and he hoped that as this country was being extended and developed, we would all be governed by higher principles. He would ask the hon. gentlemen on the Treasury benches to look back upon the whole course of the late Government with respect to the question of the North-West, and judge their conduct calmly, generously and justly. Gentlemen opposite now know more of the difficulties of Government than they ever knew before. It was one of the difficulties with which the late Government had to contend that they were opposed by an uneducated Opposition—uneducated as regards the responsibilities and labours of Government. Now, his hon. friend at the head of the Government knew what these responsibilities were, and knew the difficulties which surrounded this question. He (Sir JOHN), could assure his hon. friend and the House that the late Government, in all that they did with regard to the North-West, acted upon the conviction that they were doing what was best for the country. They could have had no object in acting otherwise ; they could have had no other ambition than to gain a name in the country as having acted in the best interests of the whole country. They had succeeded in adding that vast portion of the continent to Canada ; they had extended the Dominion to the Pacific ; and they were striving to build up a power upon this northern continent worthy of those from whom we had descended, whether French or English. They made many mistakes, no doubt. He would repeat that in all that they had done with respect to that country, whether approved or disapproved of, they did what they thought at the time to be best. They had an enormous responsibility thrown upon them. In that country race rose against race, and religion against religion, and the plains were roamed over by the savages, only anxious for the opportunity of exercising their savage instincts. The Government had but little to hope for except that they would be sustained by their fellow-citizens in Canada and by Parliament, as they were sustained by their own consciousness that they did all for the best. Peace was their object, and they sacrified a great deal for it. The people of that country were all dissatisfied. Some were savages, some were semi-civilized, and there were rumors floating among them of a disturbing nature. All these difficulties the Government had to deal with, and while dealing with them, they had also to meet the attacks of their opponents at home, who were striving to misrepresent their motives, and to obstruct them in every step they took towards the peace and settlement of the country. He believed that the calm after-thought of the country would take the position that, on the ground that on the whole the late Government had not been wanting in their duty in any single step which they took for the acquisition, the settlement, and the development of that great country.

Hon. Mr. BLAKE said that a good deal had been stated by the hon. member for Kingston this evening that was not strictly relevant to the question before the House. He did not complain that the hon. gentleman should have taken this opportunity to enter into a somewhat extended review of the transactions of his Government in connection with the North-West troubles. He did not complain that the hon. gentlemen should have proposed to enlarge the area of the discussion in the manner in which he had done. He did not complain that that gentleman should have closed with an appeal almost touching to both sides of the House and the country at large to bear in mind the great difficulties and responsibilities under which he had laboured in these transactions, and to believe that in all he had done he had acted for the best. After all, the question was not whether he had acted for the best, but what he had done and what consequences were to flow from what he did in all these transactions. The hon. gentleman had pointed out that there were two classes of persons—and he isolated himself and made him a third class—who must vote against the resolutions now before the House. One was that class who believed that the faith of the Crown of England had been pledged to absolute and entire amnesty. They, the hon. gentleman said, must necessarily vote against the resolutions because they did not go far enough, because they imposed conditions and sought to violate that pledged faith. When the hon. gentleman said that there was another class who believed that this murder must be avenged by the death of the murderers, and they, of course, would vote against the resolutions because they did not go the length of inflicting the death penalty for the crime which had been committed. But for himself, the hon. gentleman said he would not vote against the resolutions on either of these grounds. If the Government had taken the course which the hon. gentleman now recommended, and made this question one of Executive action only; if they had upon their own responsibility passed an Order in Council advising an amnesty, then he (Sir JOHN) would have been disposed to support him, but he regarded the manner in which the Government had proposed to deal with this question as one which was subversive of our Constitution, and, therefore, as the saviour and guardian and protector of the Constitution, he would have to vote against the resolutions. The hon. gentleman had stated that the proposal to invite the co-operation of Parliament in an act of grace (the amnesty) was unprecedented. He would not enter into precedents in any detail. He thought he had heard before to-day, and read before to-day of acts of grace. He thought if the hon. gentleman would look at the statute book of England he would find acts of grace not very singular in the records of that Parliament, and he did not know that there was any particular difference in bringing up the question, whether the grace of the Crown should be extended to persons by resolutions or by a Bill. In either sense the Executive action was not brought into play. Parliamentary action was that which was brought into play, and that was what the hon. gentleman complained of. But if he (Mr. BLAKE) was not misinformed, it would be found that in 1841, 1843 and 1845 the Parliament of the late Province of Canada was asked to act and did act in a sense similar to that in which Parliament was now invited to act. The hon. gentleman had acknowledged that the right of Parliament dealing with such a question existed, and the precedents he had quoted showed that such was the case, although it was stated that it was only in exceptional cases that the right ought to be exercised. He (Mr. BLAKE) quite agreed with that view. The question they had now to determine was whether the present case was an exceptional one. What was the position in which that case now stood? It was in this position, that the hon. gentleman and his Government had declared that the question lay altogether beyond the Province, executively, of the Government of Canada. That very question which he now insisted the Government of Canada ought to have executively dealt with was regarded in his own Minutes of Council as a question which lay entirely beyond their province, and as one which could be dealt with by the Imperial authorities alone. The hon. gentleman admitted in one breath that Executive action on the part of our Government should be taken, while, in the very next breath, he declared that the Government had no voice in the matter whatever. But this was not all. The Government

of this country recognizing the difficulties which were pointed out in the communications with the Imperial Government, and which were stated in the evidence before the North-West Committee as rendering it almost impossible to solve this question satisfactorily in this country, appealed to the Imperial Government, and the Imperial Government acceded to their request and gave a decision upon the question, which decision was before the House in the despatch of Lord CARNARVON. What the hon. gentleman had suggested was that the Government of Canada ought under such circumstances to have advanced further and after that decision had been obtained—namely, that amnesty at this time and under these circumstances was not to be granted, that being the independent decision of the Imperial Government, the Canadian Government ought to have passed a Minute in Council calling upon the Imperial Government to reverse that decision. He ventured to say that no action less significant, no indication less expressive of the mind and will of the people of this country than a vote of this House would be adequate to produce that result which the hon. gentleman said could be produced by a Minute of Council. He had a firm conviction that Parliamentary action in the sense in which that action could be taken, notwithstanding the hon. gentleman's appeals to the House, would produce the desired result, and he had no doubt that Executive action alone would not produce it. The hon. gentleman the leader of the Opposition acknowledged that this question should be settled, but he objected to the mode in which the Government proposed to do it. He (Mr. BLAKE) believed that the mode adopted was the only practical one. He did not believe that the people of this country or the members of that House would complain that under the peculiar circumstances of this case the Government were shirking any responsibility. On the contrary, they were assuming responsibility in bringing forward the question at the earliest possible moment for the consideration of the representatives of the people. He could well understand that it was extremely embarrassing to the leader of the Opposition that this course should be taken. They all knew there was an expectation that the hon. gentleman would find himself in a very grave difficulty in this discussion. It might come yet. Perhaps what he was about to say might produce something of the kind to which he adverted. The hon. gentleman had supporters in this House. He had on one side the cherub form of the member for Bagot, appearing as an angel of mercy, while on the other side, he had the member for North Hastings, appearing as a minister of vengeance. Between these two the hon. gentleman stood. His (Sir JOHN'S) own position was that the solution proposed by the Government was a just one; but it did not please another class of the hon. gentleman's supporters. If the sentiments of the hon. member for North Hastings were to be put before the House in some formal shape, perhaps they would be embodied in a proposal to strike out all reference to amnesty for those who were connected with the murder of THOMAS SCOTT. In that case the House would find those two guardian angels and their respective followers divided. If, on the other hand, the member for Bagot should bring forward his views in the shape of a resolution, of course the hon. gentlemen would find himself deserted by the hon. member for North Hastings and those who acted with him in this matter. The hon. gentleman's followers would be divided, and he would find himself in so very difficult a position that he would not know which way to vote. The House was aware of that because there was an occasion on which complete amnesty was proposed by the hon. member for Bagot, and in which the hon. leader of the Opposition, although in the House a moment before the vote was taken, and also immediately after, did not have his name recorded on that motion. It might, therefore, be assumed from what the hon. gentleman had done last session, that this question was one which caused him a good deal of embarrassment when it came to a vote and it would no doubt be very greatly to his comfort if he could unite his whole following in opposition to the resolution of the Government. United, he would no doubt say they would look more respectable. Coming now to the resolutions before the House, he would say that the hon. gentleman had criticized them somewhat severely, and not in that spirit which he desired in his concluding remarks should animate discussions in this

House. For his own part, he confessed that he was unable to observe in the arguments which had been addressed to the House this evening, that a single statement of fact contained in these resolutions had been in the slightest degree impugned. The first paragraph referred to certain circumstances with reference to the action of the late Sir GEORGE CARTIER, and he might observe at once that he perceived in the resolutions that the Government had wisely omitted all reference to the various matters which had been disputed. They omitted some considerations which would have been urged with great force, and received in some cases with almost equal force, as applicable to the solution of the question, and they confined themselves to such statements of fact as were absolutely incapable of being impugned by any fair consideration of the evidence, the grounds upon which the resolutions were based. Therefore, upon the consideration of those allegations of Father RITCHOT, with reference to his conversation with Sir CLINTON MURDOCH and Lord LISGAR, there was nothing said in those resolutions. The explanations that were given as to the want of acquaintance on the part of the rev. gentleman with the English language, and the statement made by Lord LISGAR and Sir CLINTON MURDOCH as to what they did say, created so much doubt and dispute upon what had actually transpired, that he thought it would have been wrong to leave embodied those statements in these resolutions. Reference had been made in the course of this debate to the conduct of Hon. Mr. DORION as Minister of Justice and the acts of individual Ministers, but he would call the attention of the House to the fact that the negotiations and communications which formed the basis of these resolutions were conducted principally by the late Sir GEORGE CARTIER, who, during Sir JOHN MACDONALD'S illness was acting First Minister, and the then First Minister himself; and if a distinction was to be drawn between the force to be attributed to the statements of individual Ministers not authorized to speak on behalf of the Government, and statements made on behalf of the Government, certainly the statements of the First Minister and the acting First Minister, should have the most force. With reference to Sir GEORGE CARTIER, it was alleged in the resolutions that at various times he gave divers persons of prominence in the North-West, amongst whom were Archbishop TACHE, Father RITCHOT, the Hon. M. A. GIRARD, and the Hon. J. ROYAL, assurances that a complete amnesty would be granted by the Imperial Government in respect of all acts committed by all persons during the North-West troubles, and requested that the assurances should be, as they were, communicated to the interested parties." Now, the hon, gentleman had referred to the first person mentioned here, Archbishop TACHE, and had pointed out the distinction which obviously existed between his position in reference to these assurances and that of Father RITCHOT Archbishop TACHE had proved in the distinctest way in various passages of his evidence that Sir GEORGE CARTIER made these statements to him, that Sir GEORGE gave him assurance not that he would grant an amnesty or that the Imperial Government had promised it, but that the Imperial Government would grant an amnesty, and that that fact should be communicated to the people of the country, and too, at a time when, if the hon. gentleman's description of the state of affairs be not wholly exaggerated, if Archbishop TACHE'S statements were not wholly exaggerated, it was of the utmost consequence in the interests of the whole of Canada that the people should be quieted and tranquilized. The first paragraph of the resolutions alleging that Sir GEORGE CARTIER, filling the position of representative of the Government in the negotiations and being the acting leader of the Government was established to be true beyond contradiction by a vast mass of indisputable testimony. The hon. gentleman declared that Archbishop TACHE had himself stated in his letter of the 29th of June that he had taken the responsibility upon himself with reference to the promise he then made. That was perfectly true. He held with the hon. gentleman that the statement made in that letter practically, though not expressly, amounted to an admission that the Archbishop did not conceive that he was authorized by the Canadian Government in its name to promise an amnesty. The Archbishop fully explained that. He stated that he did conceive himself authorized to promise an amnesty in the name of the Imperial Government that he went up to the country with that belief, that he did promise an amnesty in

the name of the Imperial Government, immediately upon his arrival, that the people were afterwards disquieted and disturbed, that the country was in a dangerous condition, that he found that they were not relying as much as he desired on the pledge that he gave in the name of the Imperial Government, and that to accomplish the object which he had in view he had in June to take upon himself the responsibility of making the promise in the name of the Canadian Government as well, and that promise made by the Archbishop acting in the *bona fide* belief that he was authorized to make it as the promise of the Imperial Government, and the promise he subsequently made in the name of the Canadian Government on his own responsibility, were not disowned by the Canadian Government. It was quite true that with reference to the second promise, two letters were written to His Grace—an official letter from the Secretary of State, pointing out to him that he must take the whole responsibility for the promise, and a private letter from Sir GEORGE CARTIER, pointing out the reason for the despatch, that his colleagues were in great dread of public opinion, and therefore it was necessary to write a disavowing despatch. But what he contended was that the people of the country were not informed of any disavowal of the promise made by the Archbishop. The Canadian Government were informed of the promise which had been made and they took no pains to tell the people that that promise had been disavowed, and therefore they left the people under the impression that they knew had been conveyed to them by the Archbishop that such a promise being made was authorized. It was also established by the evidence of the Archbishop and Mr. ARCHIBALD that the persons in the North-West who were implicated in these troubles became absolutely convinced from whatever source—and we found no source, except the persons who promulgated these assurances in the territory—that a general amnesty had been promised, and that conviction tended to facilitate the acquisition of that territory by Canada. Of that there could be no doubt. With the exception of what the First Minister had done in reference to the sending of Archbishop TACHE to that country, he had no personal individual responsibility, and he believed it had been established that, anterior to the commencement of the hon. gentleman's illness, there was no agreement that there should be an amnesty, if there was one subsequently. His personal and individual responsibility up to the time to which he had arrived, was confined to that part which related to Archbishop TACHE's going up to that country. Now, he was not prepared to accede to the view that the expressions which were used in the letter of the hon. gentleman on the amnesty question were fairly to be construed in such a limited sense as he had proposed. It was perfectly understood that although the Crown might pardon for crimes, the Crown could not take away the right of the subject to have redress for a civil wrong, and what the hon. gentleman said was, that besides giving the general amnesty, which the Crown could do, the Crown would not deprive the Hudson's Bay Company of their right to sue the insurgents for the value of their goods, because that the Crown could not do—but would stand between the insurgents and all harm that might result to them from such demands made by the Hudson's Bay Company. That was the reason for the special reference that was made to the circumstances of the Hudson's Bay Company's goods in the despatch which alludes to the circumstances as a basis for granting a general amnesty. The argument of the hon. gentleman, based upon the despatch, fell entirely to the ground. The simple proposition was this—general amnesty you are promised, and in addition to that you are promised that you will be indemnified against all civil rights that may have arisen in favour of the Hudson's Bay Company or others for civil wrongs.

Sir JOHN A. MACDONALD—Not others.

Hon. Mr. BLAKE—Well, in favor of the Hudson's Bay Company alone. Technically there was great force in the argument that this proclamation and letter of the hon. gentleman had a condition attached to them, and therefore it is that I highly approve of the plan which has been adopted in these resolutions of not bringing forward disputable points, and which has been followed out by the exclusion of the proclamations as one of the grounds on which the action of the House is sought. But it was clear that the Archbishop did *bona fide* believe that under the letter of

the hon. gentleman, and of the proclamation, he was authorized in the circumstances which existed in the country at the time of his arrival, to make the promise in the name of the Imperial Government, which he then did make. He (Mr. BLAKE) did not say, and the resolution did not say, that the Archbishop was so authorized, but he did say, and the resolution said that he thought he was authorized to make the promise, and the Canadian Government did not disavow to the people publicly the promise so made. Then the resolutions proceeded to refer—dealing with the subject in chronological order—to the Fenian raid, and the hon. gentleman did not touch upon that branch of the subject. Some observations had been made in the despatches with reference to the position of a Lieutenant Governor in Canada, and it had been alleged that the Lieut.-Governor's action could not be regarded by the Imperial Government as in any way compromising them. That was the distinction which the Imperial Government had been pleased to take. They had been pleased to allege that because Lieut.-Governor ARCHIBALD was not appointed by the Imperial Government, they were not responsible for anything he did or said. Well, if they were not technically bound was not the Canadian Government technically bound? Somebody must be bound, somebody must be responsible for the utterances of this official, and if the Imperial Government discarded all responsibility, then the responsibility clearly fell by that disavowal of theirs upon this country. The Lieut.-Governor in a great emergency, as he conceived it to be, and as he had vividly described in his evidence before the Committee, when he thought that the retention of that country as an appendage of the Crown depended upon prompt action and harmonious united co-operation on the part of all the inhabitants, issued a proclamation, assuming—Lord CARNARVON says without any authority—to use the name of the Sovereign in an appeal to the people. Well, if that was wrong, the hon. gentleman opposite never corrected that wrong. If the Lieut.-Governor did wrong in that step or in any other which he took the hon. gentleman instead of blaming him applauded him. The hon. gentleman in a despatch wrote that the proclamation was a wise step and had given much satisfaction in Ottawa. He was not concerned about that; he was concerned only for this, that this official of ours did assume to act in a particular way. He assumed to call on all the inhabitants of the country, without distinction of race or nationality, without regard to their former position, without regard to the old troubles or the then attitude of the men connected with them, to rally to the defence of the country. But he made a special application tao. RIEL and LEPINE did not come to him. He went to them. He appealed through the medium that he thought most efficacious, through the medium that Archbishop TACHE had at his request recommended to him as he was leaving the Province in case an emergency should arise—he appealed to them through the priest, Father RITCHOT, to come forward. That appeal was responded to, and the Lieut.-Governor accepted the services of these men, and wrote a letter to them in which he told them that he would take the earliest opportunity to transmit to HIS EXCELLENCY the GOVERNOR-GENERAL a statement of the course which they had taken. Under such circumstances, and in view of the retention of Lieut.-Governor ARCHIBALD in his office, and his subsequent promotion to the Governorship of Nova Scotia, showing that his conduct was highly approved of by the Canadian Government, he held that this country was responsible for the acts of Lieut.-Governor ARCHIBALD. He had sent down to Ottawa a full account of the course he had taken accompanied with his resignation. He said "if you disapprove of my conduct I am willing and anxious to go. I will relieve you of all embarrassment." The Government chose to recognize the wisdom of his course, they did not forbid him to proceed in the same path, and therefore the Government of this country was to a large extent committed by the acts of the Lieutenant Governor, not disowned but approved. That position was practically recognized by Lord CARNARVON. The hon. gentleman thought that those who sustained the statement of facts and also the conclusions of these resolutions were upon the horns of a dilemma; but he would find that while Lord CARNARVON declined to recognize the proposition that the Crown was technically bound by the action of Lieutenant-Governor ARCHIBALD, he specifically

acknowledged that the facts and circumstances involved not complete amnesty but favorable consideration, and they rendered it impossible to take the lives of these persons. He did not see the dilemma that the hon. gentleman would put us in. He did not say that it was absolutely necessary to pardon or to hang. He said there was a middle course. He said you may give a certain amount of consideration to acts done and relations assumed by the constituted authorities of the country, without giving all the weight which the advocates of one side of the question might be disposed to give. He said that they must consider the circumstances as rendering it impossible to inflict the death penalty, while he did not consider that as entitling the parties to absolute pardon. Well, what Parliament was asked to do on this occasion was to affirm that clear principle. There might be various circumstances which plainly point to an absolute amnesty to all but two or three persons, and to a very large measure of relief to those two or three, but that did not render it impossible for this House and the Government to indicate their sense of the crime which these persons had committed. The hon. gentleman had at considerable length vindicated his course upon the occasion that occurred almost immediately after the events to which he had just alluded. The Fenian raid was over in October. Early in that month or late in the preceding month, just before the Fenian raid, the Archbishop had left the Province. In November and December he saw Sir GEORGE CARTIER and the hon. gentleman, and the question of the condition of the North-West was discussed between them. It was thought advisable at that time to arrange that RIEL should leave the country, and afterwards that LEPINE should be conjoined in the arrangement, and the resolutions narrated —with an accuracy which had not been disputed by the hon. gentleman himself— the exact facts connected with that transaction. He (Mr. BLAKE) observed that the Government had followed the wise and prudent course of preventing dispute as to the accuracy of these facts, if possible, by adopting the version that the hon. gentleman himself gave, in preference to that of the Archbishop, where they differed. With reference to the conversation that occurred between them on this occasion, it was the language of the hon. gentleman himself that was embodied in the resolutions. The hon. gentleman said that he arranged in a period, as he believed, of great emergency, with Archbishop TACHE to procure the retirement for a season of RIEL and LEPINE from the country, and he said under all the circumstances of the case he would do it again, because it was necessary to do it. He (Mr. BLAKE) was not concerned at this time to determine whether it was or was not necessary. We were concerned to determine whether it was done or not, and whether the mode in which it was done was consistent in the least degree with the notion which the hon. gentleman stated to-night was in his heart at the time that he did it, namely, that there was no Statute of Limitations for murder, and the man might be brought back and hanged afterwards. What did he say to the Archbishop on that occasion? He told him then, urging him to use his influence with those persons to induce them to leave the country, that if they left it it would better the chances of an amnesty being obtained for them. Did the hon. gentleman dare to tell the House that when he was telling Archbishop TACHE, in order to induce him to get these men to leave the country, that it would better the chances of amnesty, he cherished in his heart of hearts the old legal saw that there was no Statute of Limitations for murder, and therefore he could catch and hang these men at any time afterwards? It was utterly inconsistent with the least pretence to honor and good faith that any man in the position of the hon. gentleman should have stated to Archbishop TACHE that he desired the expatriation of these men for a period, and that their expatriation would better the chances of an amnesty, and at the same time should have nourished in his breast any such idea as he now confessed to have. But that was not all. The Archbishop said that the hon. gentleman promised that he could make RIEL'S cause his own, and use his influence with the Imperial Government. The hon. gentleman at first did not remember that he had used any such expression, but he afterwards acknowledged that he did say or may have said that he would exercise his personal influence to procure action in the matter by HER MAJESTY'S Government, and so far to make RIEL'S

case his own. Did the hon. gentleman mean to tell us now that the way he intended to use his influence with the Imperial Government was to induce them to prosecute RIEL and hang him, that the way he intended to make RIEL's case his own was to put the noose round his neck. Not so. We understand all this. The hon. gentleman was, as he said, in a grave crisis, and if he had come forward and stated to the House that he conceived that the interests of the country required that he should do that from which his own feelings revolted, that he conceived that the safety of the people was the highest law, and so conceiving, he did make a pledge, we could have understood it, and this House would have been prepared to second him in the redemption of it. But the hon. gentleman did not do this. He accused the First Minister of not daring to deal with this matter, although the Premier had brought down these resolutions—resolutions which, it was rightly said, the hon. gentleman opposite would not have dared to bring down. That was the secret of the business. The hon. gentleman would not dare to produce in public what he had done in secret ; he would not dare to act on the pledges he had given ; he would not dare to brave the unpopularity which might arise from such a course. He had made a promise which no person of common sense or honor could believe could be redeemed otherwise than by using the most strenuous exertions he could to procure an amnesty for RIEL. He (Mr. BLAKE) maintained that that piece of evidence by itself was conclusive to show that the hon. gentleman, then First Minister of this country, did in fact agree that he would do all he could to procure amnesty from the Imperial Government. This was clear beyond dispute, and without denying the language which the Archbishop and the hon. gentleman himself had used, it was impossible to believe that the hon. gentleman could have had in his heart at that time that there was no Statute of Limitations for murder, and that he might be instrumental in catching RIEL after all. Could any one say that when the First Minister of the country, acting under a sense of his responsibility to Parliament, made such an arrangement as this, it was possible to execute to the utmost public justice against the person in respect of whom the arrangement had been made? Was it consistent with the prosecution of this offender—his prosecution to the death—that the First Minister and Minister of Justice of this country should have made an arrangement for his withdrawal from the country at the public expense? The hon. gentleman said that RIEL was not sent out of the country by him, and that as a matter of fact till a considerable time after the arrival of the Archbishop. He had stated that public money was not used for this purpose, but he was mistaken, for he would find by the evidence that a portion of it went to sustain the men and a portion to sustain their families.

Sir JOHN A. MACDONALD—I said it was not used till the £600 was forthcoming.

Mr. BLAKE—Yes, because these persons wanted better terms. They had seen the Public Accounts, and found that other persons had got much larger sums, and they really thought they ought to get more money. The hon. gentleman said the Government had nothing to do with that, and that they knew nothing of it. But the hon. gentleman forgot that when these men wanted more money, the Archbishop expressly said, "A thousand dollars have been given to me, and I will add to that out of my own purse what is needed." "No," they said, "the members of the Cabinet at Ottawa request us to go, and you must get them to pay the additional money." It is quite clear from that that the Archbishop had communicated to these persons that he had been requested by the Cabinet at Ottawa to procure their expatriation. But he (Mr. BLAKE) did not care whether the Archbishop had communicated that information to these persons or not. The point was, that this arrangement was made by a person employed by the First Minister to make an arrangement of this kind. The hon. gentleman said it was to be a profound secret. If it was such a meritorious action, why did he wish that it should not be known? It seemed to him that the hon. gentleman would have been less scrupulous about the extreme secrecy of the transaction if he believed it was so commendable. Then, as the resolutions proceed with the narration of events in the order of time, reference was made to what happened in the general election of 1872. It was true that the hon. gentleman had a

communication by telegraph with Lieut.-Governor ARCHIBALD, or rather, he sent a peremptory demand to that officer, as if he were his lackey, and not the Lieut.-Governor, "Get Sir GEORGE elected in your Province." The revelations of the North-West Committee had incidentally thrown some light upon the manner in which the late Government treated their Lieut.-Governors, and he (Mr. BLAKE) had no doubt that if they had a committee on British Columbian affairs they would find that Governor TRUTCH had been used in a somewhat similar measure in connection with the securing of a seat for another member of the Cabinet. The hon. gentleman telegraphed to Mr. ARCHIBALD to get Sir GEORGE CARTIER elected in that Province, but not to let the late Provisional President resign in his favor. The hon. gentleman was conscious that the county of Provencher was a French county; that it was the county for which Sir GEORGE was likely to stand, and he knew that RIEL was running for that county so he did not telegraph "Don't let him stand for Provencher," (for he knew very well that he must stand for that county if at all,) but "Don't let Provisional resign in his favour." The hon. gentleman was told the next day by telegraph from Mr. ARCHIBALD that it was Provencher that Sir GEORGE was to run for, and then on the 6th—the Government having apparently not noticed, or perhaps not having fully arranged an answer to the latter part of the hon. gentleman's telegram—answered that part, and he got out of the difficulty in just such a fashion as the hon. gentleman himself would delight in. Mr. ARCHIBALD telegraphed that neither candidate would resign in Sir GEORGE CARTIER'S favor, but they would both retire. That was a distinction without a difference. A plain man like himself did not see the difference, but the hon. gentleman and Mr. ARCHIBALD both saw it. It would have been a very unfortunate thing had the "late Provisional" resigned in Sir GEORGE CARTIER'S favor, but it was perfectly right for him to retire along with Attorney-General CLARKE, and left the seat open for Sir GEORGE. He did not see that the hon. gentleman at that time could have remembered his old saw about the Statute of Limitation of murder when he was arranging with a man to retire who should not have been provided with a seat but with a gibbet. Then, it was clear that the hon. gentleman, as First Minister and leader of the Government, as well as Minister of Justice, did give assurances to Archbishop TACHE and other persons that he would press on HER MAJESTY'S Government to take up this question, thinking they might see their way to granting a complete amnesty without throwing the responsibility on the Canadian Government. It must have been clear to the hon. gentleman's own mind, for he must have read the Statute of Limitation, that he would get rid of the trouble through the Imperial Government, and he gave individual assurances as First Minister of the Cabinet that he would urge the Imperial Government to settle the question. These assurances were of a piece with all the other developments that had been brought out in the evidence. They were simply indicative of one harmonious spirit pervading the policy of these gentlemen from beginning to end, and that spirit was that while they would not do anything openly, while they would not give a promise in writing, while they would do nothing that would disable them from asserting their innocence subsequently, they led these people to believe from an early stage—Sir GEORGE CARTIER, during the negotiations; the hon. member for Kingston afterwards when he resumed the management of affairs—that the Imperial Government would at some time grant an amnesty, embracing every one implicated in the insurrection, and covering every crime committed, and they promised to use what influence they could to procure that amnesty. They said they could not dare to advocate it in the House; they said they could not give it in writing, but their promise was given to procure an amnesty; that that was the general view and the impression they conveyed to Archbishop TACHE and through him to the Metis, could not be disputed. Under these circumstances the House was bound to look to what was practicable. He believed with Lord CARNARVON there might be a middle course to pursue. The late Government had so dealt with affairs that it was necessary to remit a great deal of the penalty for the crime committed, and yet that it was not essential to concede all. They had to be guided by all the circumstances with a view to settle

the question consistently with the principles of honour and good faith. He believed the solution the Government had proposed was the right one, and the hon. member for Kingston had not disputed it, nay, had frankly admitted the fact. The hon. member for North Hastings had referred to words used by him (Mr. BLAKE) on this subject on former occasions. He did not disavow them. They represented his former opinion and his present opinion of that act. He was not concerned to know that such a statement as this involved the fact that such words might wound the feelings—though he could not conceive why—of gentlemen in this House and outside of it who entertained very different ideas of that transaction. As the hon. member for Kingston had observed, it was one of the duties of a public man to act upon his views, whether they involved popularity or unpopularity, and he (Mr. BLAKE) did not hesitate to say that he would tell the people of Quebec what he had told the people of Ontario and would justify the words he had used by the record. The crime being conceded, what the House had to consider was how far they could go in one direction or the other, how they could deal with the events which had taken place, and how far those who administered the affairs of the country were responsible. They had been told that there had been a conversation with Hon. MM. DORION and LETTELLIER, which involved promises which ought to be observed and binding on the Government. He entirely denied that there was any promise. The situation of these gentlemen was different from the situation of the two persons on whose promises and assurances this House was asked to act. Sir JOHN was First Minister, and Sir GEORGE acting First Minister, positions which neither Mr. DORION nor Mr. LETTELIER occupied, and if the latter had given such assurances they could not be binding on the Government. But they did not give such assurances. The Archbishop in his evidence says Mr. DORION remarked: "I can make no promises," and he expresses gratification at that statement, saying, "I would rather have no promises than be treated as I was before, for promises were then made which were broken." The last communication which took place before the departure of the Archbishop to Manitoba, was the communication in which cypher telegrams were arranged for, and they prove conclusively that up to that time there had been no promise, for it was an arrangement to convey information if there was to be a complete amnesty, and also if the affair was to be considered by the Government, showing that the question had not been before the Cabinet up to that time. Then the Archbishop's own testimony is:

"At, I think, every one of the conversations, Mr. DORION told me that he personally could not give me any promise of an amnesty. Whether this was in answer to my question or not, I cannot remember. He added that he was perfectly well disposed and expected he would be able to satisfy us as hereinbefore stated.

"In reply to Mr. DORION, when he said he could not give me any promise, I said I had rather have no promise at all, than one that would not be fulfilled afterwards."

On the 3rd of January the Archbishop wrote about "hope of some consolation," and explains in his evidence that the expression referred to the granting of an amnesty. He adds:

"There had, up to the time of the writing of this letter, been no promise of an amnesty by the present Government or any member of it, though I had been led to expect it, as I have before mentioned.

"I can give no more words which passed between MM. DORION or LETELLIER and myself than what I have already given in this examination.

"It was on these words and from the whole tenor of our conversation, that I based the expectation I entertained."

So it was clear that the only two members of the Government with whom the Archbishop had communication, neither of whom were competent to act, gave no promise individually or on behalf of the Government, and the arrangement made for cypher despatches at the close of their communication, was of itself conclusive proof that no promise had been made. He (Mr. BLAKE) was a member of the Government at that time. Of course he did not know, and had not the slightest idea that such communications were passing, and he contended that they did not bind the Government as it was constituted. The Quebec members of the Cabinet said they were individually well-disposed, but they could make no promise for the Gov-

ernment. The Archbishop on his return to Manitoba, said to his friends that he had reason to believe that the new Government would fulfil the promises of the old. He proved that Mr. DORION had received from him a mass of testimony upon this question, from which he was of opinion that an amnesty had been promised, but he declined to make any promise himself. The new Government, as far as it was bound, was fulfilling the promises of the old Government, made by its First Minister and its acting First Minister, promises on which these people acted, and by which the transfer of the North-West territory was facilitated and tranquilized. He did not believe that the intelligent people of the East or the West would be dissatisfied with this solution of the difficulty. While he regretted that they were obliged to arrive at such a solution; while he did not believe it was in acts of Parliament or acts of grace on the part of HER MAJESTY to wash out the guilt of that great crime; while he did not believe that anything this House could do or say could make that crime one whit less than it was, he did believe that the people of this country would be satisfied that enough was said and done by the Premier of the late Government and his colleagues to render it entirely impossible that any other course could be taken than that proposed by the hon. gentlemen now in power, and if the country came to that conclusion, as he believed they would, they would be satisfied with this proposition. If they did not come to that conclusion; if they believed with the hon. member for North Hastings that nothing had been done to bind the country, they must pay the penalty of their error of judgment. If they believed with the hon. member for Terrebonne that the offenders should be free from all punishment, they had to pay the penalty of that. From beginning to end the Government had the satisfaction of knowing, whatever might be the result of their policy, that they had acted upon consistent principle. The hon. member for North Hastings had been pleased to charge them with having for political purposes and for political effect alone, attacked this act as a crime. Did the hon. gentleman suppose that political effect could not be secured by designating it by some milder term. Did not the hon. gentleman's organs attack him (Mr. BLAKE) for having used different language in the Ontario Legislature and in this House? He was of opinion that this Blue Book (the report of the North-West Committee), disclosed facts which rendered it quite impossible to execute that justice which he believed should be executed. It had been asserted that the men who denounced in the Ontario Legislature the murder of SCOTT had made this a question of creed. If it had been made a question of creed, it was the hon. member for North Hastings and the association to which he belonged that must bear the responsibility. He (Mr. BLAKE) had said this before in this House, and he repeated it now. When he (Mr. BLAKE) expressed his views about it, he put it on grounds which applied to all citizens of this country, whether Catholic or Protestant. He appealed for justice for his countryman. He declined to believe then, and he still declined to believe, that his Roman Catholic fellow-countrymen would view that crime with any other sentiments than he viewed it. But the hon. member was not as blameworthy as his chief. He did not know the secret history and was shocked himself with the revelations that were made. What did the hon. member for Kingston say at Peterboro' in referring to the reward offered by the Ontario Government? Referring to the murder of SCOTT and the absence of RIEL, a friend in the crowd asked, "Where is RIEL?" The hon. gentleman replied, "GOD knows; I wish we could catch him. He is, I believe, in the United States, where he retreated, as Mr. BLAKE says, in consequence of the reward offered by Mr. BLAKE'S Government. Anxious, says he, to vindicate the sacred cause of justice, he issued the proclamation offering that reward, and this murderer is no longer in the country. He no longer pollutes the soil of Canada by his presence. Well, I always thought in my simplicity, until I heard this declaration, that rewards were usually offered to catch a man, and not to cause him to go away." He (Mr. BLAKE) confessed that when he, as First Minister of his Province, took the responsibility of offering a reward for the apprehension of the criminal, he did not know that the Minister of Justice at Ottawa, as First Minister of the Dominion, had used the public funds for sending him out of harm's

way. Had the hon. gentleman's policy been as open as his (Mr. BLAKE's) he would have pursued a different course. If he (Mr. BLAKE) had known that Canada was offering a reward to RIEL to get him beyond the border, it would have been useless for Ontario to offer a reward to capture him. But the hon. gentleman went a little further in his Peterboro' speech. He said:

"And that is what Mr. BLAKE not only did, but boasts of having done. His proclamation has made RIEL "lave that," and he is now living in peace, prosperity and comfort across the border, and like men of his stamp, ready to stir up another row should opportunity offer."

The House would perceive what an accurate knowledge the hon. member had not only of where RIEL was, but also of the condition in which he was at the time. Of course he (Mr. BLAKE) did not know that RIEL was in peace, prosperity and comfort, but the hon. member for Kingston did, knowing how the secret service money was spent, and could speak with positive assurance on the subject. He would draw the attention of the House to the style in which the hon. member described the act when it was attributed to him (Mr. BLAKE). He said:

"RIEL is now living in peace, prosperity and comfort across the border, and like men of his stamp, ready to stir up another row should opportunity offer. You must remember that the country is a smouldering volcano, and that the slightest imprudence may cause a hostile war; and this man who is now living in security under the American flag may keep up the agitation for his own purposes, and do it free from danger, because we dare not go there and outrage the soil of the United States in order to capture him. He knows he is safe, thanks to Mr. BLAKE, with full opportunity, if he so desires, to plot and plan, in order to destroy the peace and prosperity of that great and growing country."

That was what the hon. gentleman said when he asserted that the Ontario Government sent RIEL across the border. To-night, when the hon. gentleman forgot all that, he called the act of sending RIEL out of the country a master stroke of policy which he would be quite willing to repeat. Under such different circumstances did they find the act described. The one was an act in vindication of public justice; the other was an act which, if done with the described intent of inducing this man to return some other day in order to hang him, was an act of the basest perfidy. He (Mr. BLAKE) did not believe that any amount of argument from the other side, any attempt to obtain from an amendment a union of the scattered forces, would alter the substantial fate of this resolution. He believed it would be carried by a decisive majority and that the vote would be met by the general approbation of the country at large. For his part he rejoiced that it had been given to the present Government and to the great Liberal party of which he was an humble member, to be able to propound a reasonable and satisfactory solution upon reasonable and liberal terms, of a difficulty which ought to be settled, which the late Government did not dare to grasp, but which the hon. Premier did dare and for which he was about to reap the reward of his daring.

Mr. WALLACE (South Norfolk) moved the adjournment of the debate. Carried.

The House adjourned at 3 a. m.

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[ERRATUM. — In the remarks of the Hon. Mr. VAIL on Tuesday last, in introducing his bill to amend the Militia Act, instead of "to do away with the Deputy Adjutants General," read "to do away with the office of Deputy Adjutant General at headquarters."]

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HOUSE OF COMMONS.

Friday, February 12th, 1875.

The SPEAKER took the chair at three o'clock.

THE ESTIMATES.

Hon. Mr. CARTWRIGHT presented a message from HIS EXCELLENCY the GOVERNOR-GENERAL, submitting the estimates of expenditure for the year ending 30th June, 1876.

Hon. Mr. CARTWRIGHT moved that His Excellency's Message and the accompanying estimates be referred to the Committee of Supply.—Carried.

Hon. Mr. CARTWRIGHT announced that he proposed to proceed with the consideration of the estimates on Tuesday

next, if they could be reached, on which day he would make his financial statement.

BRITISH COLUMBIA.

Hon. Mr. MACKENZIE presented a Message from His Excellency, relating to the non-fulfilment of the terms of Confederation made with British Columbia.

MARINE ELECTRIC TELEGRAPHS.

Hon. Mr. MACKENZIE presented a Message from His Excellency, transmitting copies of correspondence which had taken place with HER MAJESTY'S Government on the subject of a Bill passed in the last session of the Dominion Parliament, intituled "An Act for the construction and maintenance of Marine Electric Telegraphs."

Sir JOHN A. MACDONALD asked whether printed copies of the papers relating to British Columbia and Electric Telegraph Cables would be distributed?

Hon. Mr. MACKENZIE said the papers had not been printed, but they would be printed.

Sir JOHN MACDONALD said they would have to be printed before any action could be taken on them.

Hon. Mr. MACKENZIE remarked that the Government had no action to take on them.

Sir JOHN MACDONALD said the subjects were mentioned in the Speech from the Throne, and the papers ought therefore to have been printed before the meeting of the House that the Government might be prepared to deal with those questions.

Hon. Mr. MACKENZIE replied that that course had not been followed by the late Government. There had not been time to have the papers printed; the papers on Marine Telegraph Cables were, however, very brief, and could be printed in a day or two.

Hon. D. A. MACDONALD presented a return for an address for copies of correspondence and papers connected with the appointment of WILLIAM J. MORDEN as Postmaster for the village of Greensville in the County of Wentworth, and for the removal of the said office to Bullock's Corners.

NORTH-WEST TROUBLES.—AMNESTY.

Mr. WALLACE (South Norfolk) resumed the adjourned debate on the proposed motion of Hon. Mr. MACKENZIE for the adoption of certain resolutions on which to found an Address to His Excellency the GOVERNOR GENERAL praying that steps may be taken for obtaining the granting of an amnesty for acts committed during the troubles in the North-West. The Premier, in his opening speech, Mr. WALLACE said, when speaking about the embarrassment with which that question was surrounded, said that the disturbed state of affairs at the North-West was brought about by no action of the Government, nor of its members, nor by the great Liberal party to which he belonged. The hon. gentleman no doubt felt what he said, because that party was in the habit of arrogating to themselves all the good deeds. He invited the House to examine the history of the North-West affairs to ascertain whether the Premier's statement was strictly in accordance with the facts. On 16th February, 1871, the hon. member, now the Premier, then leader of the Opposition, moved a resolution in reference to the murder of SCOTT, without showing that the House had a right to deal with the question. Did the hon. gentlemen who now occupied the Treasury benches say how the criminals were to be brought to justice? No, they only moved this resolution, and increased the embarrassment surrounding this question. The hon. Premier, when a member of the Ontario Government, moved a resolution offering a reward for the capture of RIEL, when he knew that he could do nothing towards accomplishing the object which he professed to desire. And yet the hon. member claimed that he had done nothing to bring about the embarrassments with which this question was surrounded. In the very action he was now taking he was adding to them. In the despatch of His Excellency the following words occurred:—

"I have the honor of forwarding to Your Lordship a very important Order in Council, which my Ministers have desired me to transmit, with the request that Your Lordship would be pleased to give it your most earnest consideration.

"The purport of the document is to move Your Lordship and the Imperial Government to undertake the settlement of what is known here as the "Amnesty question."

"The reasons for which my Ministers are desirous of seeking Your Lordship's

assistance are founded on the fact of the circumstances out of which the "Amnesty question" has grown, having occurred at a time anterior to the assumption by Canada of the Government of the North-West. They are further impelled to adopt this course by the obvious embarrassments attending the settlement of a controversy, whose aspects are alleged to have been already modified by the intervention of Imperial authority, and which are so seriously complicated by the vehement international antagonism which they have excited in this country. Under these circumstances my advisers are of opinion that a dispassionate review of the whole question, emanating from so impartial a source as HER MAJESTY'S Government would tend more to tranquilize the public mind, and secure a loyal acquiescence in whatever decision may be arrived at, than would be the case were they themselves to undertake the settlement of the dispute."

The House would see by the words "which my Ministers have desired me to transmit," that the Government were responsible for handing over this question to the Imperial Government and the commutation of LEPINE'S sentence. And what were the Government doing now? Were they content to let that settlement of the question remain. It surely could not be possible that the men who clamored for the blood of the murderers when in Opposition were now of the opinion that the punishment of LEPINE was too great! He (Mr. WALLACE), regretted that HIS EXCELLENCY did not see fit to eliminate the clause of loss of political rights, for as long as that disability remained, the question would be brought up in this House, session after session, on motions to have it set aside. Coming to another member of the party in power, the hon. member for South Bruce, who deservedly occupied a prominent position in the Ministerial ranks—had he done nothing to surround this question with embarrassments? When in Opposition, he contributed largely to these embarrassments, and the wrongs of the hon. gentlemen who now occupied the Treasury benches, were rising before them. They were brought face to face with the difficulties they had themselves created. Their former conduct made it impossible for them to do what they believed in their inmost souls to be right. Otherwise they contended, when in Opposition, that was right which they believed to be wrong. On February 2nd, in the Ontario Legislature, the hon. member for South Bruce moved a resolution expressing regret that the murderers of THOMAS SCOTT were allowed to go unwhipt of justice; but the hon. gentleman did not show how the Ontario or the Dominion authorities could act in the matter. It was true that SCOTT was a Canadian, but of his own motion he had gone to the North West Territory, and was no longer a Canadian subject. He was in a territory under the Imperial Government, or under the Government of the Hudson's Bay Company. So that the whole of this question was embarrassing just surely and solely because of the agitation and actions of the hon. gentlemen who now occupied the Treasury benches. The hon. member for South Bruce said when speaking in this debate "ours will be the satisfaction of knowing that we have acted from principle from the beginning to the end." Pharisee like, the hon. member considered himself better than other men. But this was the position hon. gentlemen opposite had always assumed—that they had always acted from the purest motives, while their opponents were impure and dishonest in all they did. His (Mr. WALLACE'S) experience of life had been but limited, but it had shown him that those who boasted most of their honesty were generally the most dishonest, just as the man who boasted most of his courage was almost sure to be a coward. The hon. member for South Bruce was always speaking of his honesty—but he (Mr. WALLACE) would not impugn his motives. The hon. member for South Wentworth also made a motion in this House on the subject of the SCOTT murder, and that motion showed that the whole responsibility for the embarrassments which surrounded this question rested with the hon. gentlemen opposite. The Government recommended, and they dare not recommend. They presented the pitiable spectacle of a Government that dare not govern, and Ministers who dare not advise. The reason assigned for the introduction of the resolutions before the House was not that it was in the interest of justice or of the country that it should be settled, but that promises had been made by the late Government, or certain members of it, that an amnesty should be

granted. Now, he held that if the hon. gentlemen believed that what they proposed to this House was wrong they should not make the proposition merely because it was asserted that promises had been given by individual members of the late Government. The hon. gentlemen opposite assigned as a reason for giving a full amnesty to some and not to others, that promises of various kinds had been made in respect to the several offenders on which they (the Government) were bound to act. But HIS EXCELLENCY in his despatch says :—

"Archbishop TACHE claims an amnesty on the plea that he went to Red River as a plenipotentiary, empowered both by the Imperial and Dominion Governments to secure the tranquility of the country by the issue of such assurances of immunity to those engaged in the recent disturbances as he should deem fit. In support of this view he found himself, as he himself states, pages 33 to 4 of the Canada Blue Book : First, as regards the Imperial Government, on Lord LISGAR's letter and proclamation, and secondly, as regards the Local Government, on the paragraph I have already quoted in Sir JOHN MACDONALD's communication of the 16th February, 1870. I confess I do not think that his Lordship's argument can be sustained. In the first place, the Archbishop's claim to such extensive powers is certainly invalid. The nature of his position is clearly defined in Mr. HOWE's official despatch of the 16th February, 1870. The instructions already conveyed to Messrs. THIBAULT, DE SALABERRY and SMITH, are communicated to him as additional guides for his conduct, and he is further invited to associate himself, and to act conjointly with these persons. There are, therefore, no grounds for regarding the mission or powers of the Bishop as differing either in character or extent from those entrusted to the gentlemen who had preceded him ; and there is certainly no intimation in his instructions that he was authorized to promulgate a pardon in the QUEEN's name for a capital felony,—still less can it be contended that he was empowered to expunge, on his own mere motion, a principal term from a Royal Proclamation. Mr. SMITH and his colleagues had been already furnished with Lord LISGAR'S Proclamation, but so far from considering that document as conveying a warrant of immunity to RIEL, Mr. SMITH expressly states that after the murder of SCOTT he refused to speak with him. On a reference, moreover, to the wording of the only sentence in Lord LISGAR's Proclamation which proffers grace to the insurgents, it becomes self-evident that it had in contemplation those minor political offences of which news had reached the ears of the Government when the document was framed."

There was clear and direct testimony in this despatch, in contradiction of what was brought forward as a justification for the resolutions now before the House. Then, again, he thought the resolutions themselves were illogical, for if it were true that the killing of THOMAS SCOTT was an inhuman murder, why amnesty one set of men implicated in it and not the others. If an amnesty was then granted to the murderers why not to the whole of them alike ? Surely the perpetrators of the crime were as guilty as the man who issued the order, yet RIEL, who merely gave the order and took no other part in the deed, was treated in a different manner from them. Why this exceptional severity to him ? Then again, in another respect the resolutions were inconsistent. LEPINE had submitted himself to the law, been tried and found guilty, whereas RIEL had not yet been tried. In the eyes of the law he was innocent until proved guilty, yet he was punished in the same manner as LEPINE, whose guilt had been proved. In this respect the resolutions should not receive the support of this House. Then, again, RIEL and LEPINE were not in the same position in another respect. LEPINE had submitted himself to the law ; RIEL had evaded it and was not entitled to the same consideration as the other. It was only in consideration of the fact that LEPINE had been tried, found guilty and received sentence that an amnesty could be asked. RIEL had not done this. If the pardon had been extended to LEPINE alone, he was not prepared to say that he would not be ready to support it, but so long as Mr. RIEL put himself outside the pale of the law, and continued to expatriate himself and remain an outlaw, the punishment proposed in these resolutions was no punishment. It was not so great as he had inflicted on himself. He (Mr. WALLACE) did not demand that vengeance be

inflicted on the murderers of SCOTT, but he demanded that the majesty of the law be vindicated and that justice be done. Let RIEL come forward as LEPINE had done, and confess his crime. If he was afraid to do so in his own Province, let him surrender himself anywhere he pleased in the Dominion, and if he should be found guilty, there was no doubt his sentence would be commuted as LEPINE's had been. When RIEL was elected to represent Provencher in the Dominion Parliament, when he came to the Capital and enrolled his name among the Commoners of Canada, who in the Ministry or among their supporters moved for his apprehension and punishment? Why did not the Premier offer a reward of $5,000 as he did when a member of the Ontario Government? The hon. member, on one occasion, remarked that he would scorn to hold the office if he could not hold it with honor. *Fiat justitia ruat coelum* was his motto, but facts showed that it was on onewhich he did not act. The whole course of the hon. member and his colleagues showed that they were actuated not by a desire to do right, but to hold powers under any circumstances and at any price. They held up Sir JOHN MACDONALD'S conduct as a justification for everything they did, but if he had done wrong that was no reason why they should do likewise. In this matter he had only to ask his French friends to approach it without any prejudice. They must admit that these men had done wrong, and admitting that, they should lay aside their prejudices and deal with the question in a spirit of patriotism. If they insisted that everything their compatriots in Manitoba did was right, no just decision could be arrived at. Let the fugitive submit himself to law and he was sure that the spirit of fairness and justice which animated our people would assist them in obtaining mercy for the offender. Believing this, and feeling that the resolutions before the House were not such as to entitle them to his confidence and support, he would feel it his duty to vote against them.

Mr. RYAN said that in the whole range of Canadian politics there was no other question upon which so great a diversity of sentiment and opinion rested as upon the one under consideration. It had divided Cabinets, it had divided and it still divided the ranks of parties, and unfortunately for us, it had divided the young Province of Manitoba to such an extent that the consideration of this one question had almost wholly engrossed the attention of the Dominion whenever directed towards them, to the exclusion of others of perhaps equal importance. It was much to be regretted that so great a difference of opinion should exist upon a plain question of right and wrong; it was unfortunate that national and even religious prejudices should have become involved to such an extraordinary extent in the consideration of a question of this nature. But although we might differ in our opinions as to the manner in which the question ought to be disposed of, we were all agreed that the time had arrived when the interests of the Dominion require that it should be settled—settled at once and for ever. And although such able expounders of the Constitution as the hon. members for Kingston and South Bruce might differ as to the constitutionality of the manner in which the question had been approached, yet we must all agree that the Government had deserved well of this House and of the country for having touched upon a question of so formidable a nature—a question that for five years had hovered like some terrible dream of night above the bosom of sleeping Canada, a question that for five years the late Ministry allowed to remain like a sleeping dragon. As the question was one that affected the North-West particularly, he believed that the House would be disposed to give more weight to the sentiments of honourable members than they would on any ordinary question not particularly affecting them. Hence it was that he felt it to be his duty to put their sentiments plainly on record before the House and country upon the subject of debate, although, after the magnificent display of argument and eloquence which had entranced the House, and would long live in the memories of those who had been the fortunate spectators, he felt, in venturing upon the question, like a child who has strayed upon some real sanguinary field. Yet his duty to the men who had sent him here, and who felt perhaps more strongly upon the question than any other constituency in the Dominion, would not permit him to be silent. The population of Manitoba was one-third French and two-thirds English. The vacancy in the chair for

Provencher, told the House in strong language how the French of Manitoba and the North-West think on the subject. But in the name of the English population he must protest against the amnesty proposed in the resolutions before the House, because to them it seems like a mockery of justice. The people of Manitoba were inclined to acquiesce in an amnesty to all parties concerned in the rebellion of '69 and '70, excepting only the murderers of THOMAS SCOTT. The reason why they made exception was that the murder was not necessary to the purposes or the success of the rebellion. It was not the act of the whole body of the rebels, it was not sanctioned or endorsed by even a majority of the French themselves. Of the Council of War who, with mock formality and real barbarity, sentenced SCOTT to death, a minority were opposed to the sentence; and of the firing party who executed the sentence, some removed the caps from their guns rather than be instrumental in so dreadful a crime. This was done, notwithstanding that their national and religious prejudices had been strongly excited, and liquor had even been given them to nerve them for their savage task. Had SCOTT fallen in a fair combat between the parties, the people of Manitoba would view the matter differently; but the Portage party, which was SCOTT'S party, when captured, had given up the idea of an armed resistance to the French, and were quietly returning to their homes when they were captured. It had been alleged that SCOTT brought his death upon himself by his violent conduct. Having been present during the greater portion of the trial of LEPINE, during which a systematic attempt was made to blacken the character of the murdered man, and having as he believed read the whole of the evidence he knew of no more serious truthful charge against him than that of unshrinking and outspoken loyalty. It had been urged in favor of amnesty that it would establish peace and harmony in the Province of Manitoba and throughout the Dominion. In the first place he was inclined to think that the peace and harmony which could only be purchased by interfering with the pure administration of justice was held at too high a price. If we could not have peace and harmony without pardoning red-handed murder, merely because the sympathies and prejudices of a portion of a community were strangely enlisted in its behalf; then let us at least have justice, and we would make a shift to do without peace and harmony. In the next place, it did not seem to him that the granting of an amnesty would be productive of peace. If amnesty pleased some in Manitoba, it would displease many more; and if it would satisfy those implicated in the murder and their friends, it would embitter the friends of the murdered man. Hence, new complications might arise, and if an amnesty were granted to the one party to-day, there was only too much reason to fear that an occasion might arise and a call be made for amnesty by the other party to-morrow. It had been agreed that an amnesty ought to issue on account of the late Administration. It was not in the power of the late, nor was it in the power of any Canadian Administration, to grant an amnesty—a fact that was well understood by all parties concerned in the negotiation. The most that they could promise was that the Administration would use their influence to have an amnesty granted. That Administration and their influence were things of the past, and the very course which they pursued on this question was perhaps one of the most important causes which led to their overthrow. The promise that they would use their influence in a particular direction could not bind a new House or a new Administration to use their influence in the same direction. The question involved in the resolutions introduced by the leader of the Government was not whether the late Administration did or did not promise an amnesty, but whether, taking all the circumstances into consideration, the alleged promises of the late Administration included, the House was of opinion that the amnesty proposed in the resolutions should issue. He was of the opinion, every member of this House must be of the opinion, who, without prejudice and without being trammeled by religious prejudice or party considerations, reviewed the whole circumstances of the case, that, attaching a due weight to the alleged promises, an amnesty excluding the murderers of SCOTT was the one that ought to issue. It had also been urged that because on the occasion of the Fenian alarms, Governor ARCHIBALD entrusted the murders of SCOTT with arms, that the legal

consequences of so doing was an amnesty for the murder. He could not subscribe to this doctrine, nor did he believe it to be true in law or in accordance with the dictates of common sense. If HER MAJESTY, knowing a subject to be guilty of treason, choose to entrust him with arms to defend her, he could see a good reason why she ought to pardon his treason. The murderers of SCOTT were guilty of treason as well as murder, and for their treason there is no desire to molest them. But the principle of English law was that every man is presumed to be innocent until proof of guilt is established, and in the face of this principle, and in the absence of even an indictment, Governor ARCHIBALD, as the representative of HER MAJESTY, could not presume that LEPINE, RIEL, and others were guilty of felony, and could not consequently pardon by implication a crime of whose very existence he was presumably ignorant. Besides, whatever might have been the legally implied consequences of the action of the Governor it was on the occasion controlled by the express words of the parties. On the one side, before RIEL and LEPINE would consent to take up arms there was a demand that "pour la circonstance actuelle" their liberty would not be interfered with; and on the side, the reply of the Governor was that "pour la circonstance actuelle" their liberty would not be interfered with. Thus far and no further the implied promise of amnesty could go, for it was a principle of law that "expressum facit tacitum cessare." Having thus briefly expressed his views on the question before the House, he hoped to be excused from further troubling them, and he merely desired that the occasion should not pass without an expression of the opinions and feelings of the people of the North-West.

Mr. MASSON said he had heard with a great deal of pain the expressions which had fallen from the hon. member. He had himself been a short time in the North-West, and he had some opportunity of ascertaining the feelings of the people. He knew that the opinion not only among the French-speaking portion of the population, but amongst the large majority of the English, was an entirely different one to that represented by the hon. member, and nothing could be more opposite to the fact than that they desired to see the execution of the extreme penalty of the law. He was aware that the constituency for which the hon. gentleman sat did not entertain the opinions to which he had given expression. The late Mr. CUNNINGHAM, who was the duly elected representative, was a strenuous advocate of the complete pardon of those implicated in the troubles of the North-West. It was by the unfortunate circumstance of that gentleman having been suddenly called away from the world that the hon. gentleman who had just spoken got his seat; and he was really no exponent of the public opinion of that constituency. Unfortunately in Manitoba there were some few persons who thought that because a wrong had been done you must do another, and held the opinion that the supreme penalty of the law should be visited on those who were held responsible for the death of poor SCOTT. The people of that Province as a body, as well as the people of the Dominion, understood their duty better than to suppose that, poor SCOTT having been shot, any good would be accomplished by shooting or hanging another man. If the conditions were otherwise, if they could bring SCOTT to life, if to-day the question was between RIEL, LEPINE and SCOTT, we might hesitate as to what should be done. But the case being otherwise it was useless to desire to wreak vengeance on any of the parties concerned in the North-West troubles. On the question of amnesty his opinions were well-known, and they had not changed notwithstanding the very strong expressions used by the Imperial authorities. He still held and believed that the execution of SCOTT was not a murder in the sense usually attached to that word, notwithstanding the fact that the Colonial Secretary had thought fit to write in these terms:

"It has been a source of much pain to many who, like myself, take pride in the public institutions of Canada, to hear of the Legislature being disgraced by the election to the House of Commons and the presence within its walls of a criminal like RIEL; and I wholly fail to understand how any section of Canadian people, of whatever race or creed, can so far mistake the true character of these unhappy proceedings as to throw over them the colour of patriotism."

He had great respect for the views ex-

pressed by so distinguished a nobleman as Lord CARNARVON; but if there was one thing that helped him to bear with equanimity the blame cast on himself and his friends in having voted against the expulsion of RIEL from the House, it was the knowledge that though they could not have the support of the Colonial Secretary, they had the approbation of the whole French and English population of Lower Canada. But, even if the killing of SCOTT was a murder and crime, it had been condoned by the promise of amnesty made by the envoy of the Canadian Government, Archbishop TACHE. He believed, moreover, and he had great confidence in the correctness of his opinion after hearing the opinion expressed by the member for South Bruce—that the promise of amnesty and offer of military command, entitled those to whom the amnesty was promised to a complete and immediate amnesty, or nothing at all. Holding these views and having pressed them upon his political friends when they were in power, he would be recreant to his duty if he were now to shrink from the responsibility of his position, and not seek to carry his views to their natural and legitimate conclusion. He would, therefore, vote against the resolutions submitted by the Government to the House. The Premier in moving the resolutions had charged the Opposition with endeavoring to make political capital out of that question. If there was any member who was not entitled to throw such an accusation against his opponents it was the Premier himself. Nether he (Mr. MASSON) nor his friends from Quebec had sought to make political capital out of it. Any one who would read impartially the evidence taken before the Committee on the North-West difficulty would see that when the party to which he was attached was in power, they went to their leader and told him they must be consistent with their expressed opinions, and if the Government did not settle the question of amnesty in the manner in which they desired it to be settled, they would not continue their support to their leader. Mr. LANGEVIN. When the members of the party supporting the Government could show such a record as that, they would have a right to claim that they had not made political capital out of this difficult question. He should consider the subject entirely apart from his feelings as a party man, as he had always done. There were two important points, and only two, to consider in respect to the question of amnesty. First, the promises that had been made; second, the offering of military command made to the parties implicated in the troubles. The two principal resolutions had regard to these points, the remainder of the series being drawn to make a little party capital. The member for North Hastings had stated that the promises that had been made by Archbishop TACHE were not binding because they had not been authorized. That line of argument would have considerable force if they were discussing the relations between Archbishop TACHE and the Government. But they were discussing the relations between the people of Canada and the people of the North-West Territory, as parties who had been led to take a certain action upon the representations or promises of one whom they considered to be a Canadian envoy. He would put aside the promises alleged to have been made by the late Sir GEORGE CARTIER, and the member for Kingston, because they were controverted; but it would not be denied that Archbishop TACHE was asked by the Government of Canada to go to the North-west territory to quell the disturbance there. It could not be denied that when the Archbishop left Canada a proclamation was placed in his hands and instructions were given him to promulgate that proclamation as soon as he arrived in Manitoba. When Archbishop TACHE arrived there he told the people he was the Envoy of the Canadian Government, and that he had brought a proclamation which offered amnesty to all the people. They, of course, believed the Archbishop's assertions. Some parties, however, being anxious, inquired whether those who had been implicated in the death of SCOTT were to be included in that amnesty, and Archbishop TACHE announced that they were. But whether the Archbishop was duly authorized to this act or not, the people supposed him to be duly authorized, and if there was any difficulty to be settled, it was to be settled between Archbishop TACHE and the Government, and not between the people of Manitoba and the Canadian Government. The Government having sent the Archbishop as their representative, they were responsible for his faults of omission and

commission whatever they were. The member for Kingston had affirmed that Archbishop TACHE had no reason to believe that he was duly authorised to promise an amnesty. The argument of the member for Kingston was based upon the fact that Archbishop TACHE wrote a letter from which it could be implied that he did not believe he had the right to take the action which he did take. What were the facts? As soon as the Archbishop promised the amnesty to RIEL and LEPINE, because they were the parties to whom he promised the amnesty, he wrote to the Canadian Government informing them of the facts. After having written that letter and before he was able to receive a reply, Archbishop TACHE was obliged to leave the North-West and come to Canada. On his arrival here, he at once went to the Imperial authorities, so that if he had any doubts regarding his action he went to the right quarter to have them dispelled. In his evidence before the North-West Committee the Archbishop stated that being desirous of meeting the GOVERNOR-GENERAL, he went to Ontario to see him. Lord LISGAR, although accompanied by one of his advisers, was very much afraid to speak to the Archbishop. A meeting nevertheless took place, and after the Archbishop had recited the difficulties and had stated that there were differences of opinion as to whether the amnesty promised would include the parties implicated in the death of SCOTT, the GOVERNOR-GENERAL, having the proclamation on his table, placed his hand on it and said, "This meets the whole case." Such was the evidence given by the ARCHBISHOP. Confiding in that declaration of opinion, Archbishop TACHE left. Some time afterwards, those rumors being again circulated, the ARCHBISHOP had an interview with Mr. TURVILLE, the GOVERNOR-GENERAL'S Secretary, who told HIS GRACE that he had better take care, as there might be something wrong. Archbishop TACHE immediately went to Sir GEORGE CARTIER and told him there was something wrong, whereupon Sir GEORGE told him that Mr. TURVILLE was a very nice fellow, but he did not understand anything about the matter. Archbishop TACHE having received those assurances—and this was a point worthy of special attention—returned to Manitoba, and reached there just a few days before the troops arrived, and he advised RIEL, LEPINE and their friends to go quietly and meet the troops. If Archbishop TACHE had any doubt of his right to promulgate that amnesty on his first trip to Manitoba surely after he had returned to Canada and had obtained information from the proper authorities he would be fully informed on the question, and his acts afforded proof that they were dictated by a desire to advance the purposes and intentions of those who sent him. Whether Archbishop TACHE was or was not authorized by the Government, he went to the North West, and on his first visit promised an amnesty, and on the second visit repeated these promises, and in doing so believed he was rightly acting. The Government was responsible for the acts of its representative, provided they were the acts of a prudent man. He came now to the second point of importance. The member for Hastings entertained the idea that the French population did not come forward and offer their services, but were working in concert with the Fenians. That opinion was based on the affidavit of a person named CHARETTE, submitted to the North-West Committee. It would, however, have been desirable for the hon. member to have taken the evidence of men of reputation and character such as Messrs. ROYAL and GIRARD, and Lieutenant-Governor ARCHIBALD. What did Mr. GIRARD say of the conduct of the French half-breeds on the occasion of the Fenian raid, for if they did not come forward courageously to protect their country they should be deprived of that consideration which would entitle them to a complete amnesty. Mr. ROYAL said in his evidence before the North-West Committee :

"I was Speaker in the House in October, 1871, when the so-called Fenian Invasion took place. I acted as intermediary, when the first news of the Fenian Invasion came, between the French half-breeds and the authorities. I explained to the former the nature of the Fenian movement and of the invasion. They were ignorant of both, and Governor ARCHIBALD thought they were slow in expressing their loyalty. The French proclamation about the Fenians was two days later than the English, having been accidentally delayed. I never heard Mr. RIEL'S name mentioned as having anything to do with the Fenians. Before the raid there were rumors of a large Irish colonization movement being organized in the States."

Governor ARCHIBALD stated in his evidence on this point that he took the trouble to inquire after the Fenian affair was

over the feelings of the French, and added:

"I took great pains to ascertain whether RIEL was sincerely acting in the interests of the Government, or was really siding with the invaders. The inquiry was as well before as after the invasion. There were a great number of French who never sided with and were never personal friends of RIEL, and I got information from these to the effect that RIEL attended a meeting at White Horse Plains about a week before the invasion, and did his best to induce the people to turn out and join the Government; that nothing was decided at that meeting, but that two or or three days afterwards a meeting was held at the same place, at which RIEL took the same view (before the proclamation was issued); that then there was an arrangement that all should meet at St. Vital on the next day, October 4 (the very day the proclamation was issued, and, in fact, a day before the Fenians were arrested, consequently long before they knew the raid was over.) That they did then meet, and then RIEL took the same line, and it was finally decided by all but two of the meeting that they would join the Government and come out. After the affair was over, I took pains to ascertain from every quarter the real truth in the matter. I wanted to satisfy myself whether they had acted sincerely or not. I came to the conclusion, as I am convinced, that they believed the raid was not over, and did act sincerely, taking their share of the risk of the invasion. Governor ARCHIBALD also stated on another occasion:

"I believe that the action of the Half-breeds at the time of the Fenian raid was attributable to the negotiations with their leaders, which I have described, and if the half-breeds had taken a different course, I do not now believe the Province would be in our possession."

With respect to the affidavit of CHARETTE, Governor ARCHIBALD said:

"I have seen the affidavit made by one CHARETTE. I made it my business to ascertain the facts as to the statements contained in that affidavit, and after the most careful inquiry, I was convinced that these statements were untrue."

Mr. MASSON then called attention to the fact that the promise of an amnesty was made to RIEL and LEPINE, and in conclusion read the following extract from the *National*, to show that even the Liberal press of Lower Canada was loud in demanding that a general amnesty be granted:

"Le temps est ARRIVÉ DE DÉGAGER LA PAROLE ROYALE donnée par nos ministres. Il appartient au gouvernement fédéral, qui ne peut proclamer l'amnistie lui-même, de demander aux autorités locales de Manitoba la suspension de tout procédés contre RIEL et LÉPINE, et de prier en même temps Sa Majesté de proclamer l'amnistie, l'AMNISTIE QUI EST DUE, MÊME SI ELLE N'EST PAS PROMISE.

"Les raisons que nous avons exposées, celles qui se suggèrent d'elles-mêmes à l'esprit d'équité la bonne justice, la raison d'état, la prudence, le besoin d'empêcher des luttes sanglantes, tout milite en faveur d'une AMNISTIE PROMPTE ET ENTIERE."

"Nous ne sortons pas de là pour réclamer l'amnistie. Il est injuste et absurde de prétendre qu'il est trop tard. Bien au contraire, plus on RETARDE PLUS ON EST OBLIGÉ MAINTENANT DE PROCÉDER PROMPTEMENT à l'amnistie et d'en finir avec les troubles du Nord-Ouest.

"Ceux qui conseillent une autre politique que l'amnistie immédiate, CEUX QUI VEULENT QUE LA JUSTICE AIT SON COURS, sont des gens irréfléchis ou des fanatiques qui ne se soucient pas des conséquences désastreuses qu'auront certainement des procédures criminelles contre le chef des Métis."

Mr. DEVLIN said he could have wished that upon this, his first attempt to take part in the discussions of the House, that he could have addressed himself to a subject more agreeable, less painful and less embarrassing than the one now under consideration; but remembering that he had the honour to represent one of the largest, wealthiest, and, commercially speaking, the most influential constituencies in this Dominion, and one sincerely anxious for a final settlement of the difficulty which the House had to contend with, he felt that he ought not on an occasion of such importance, to record a silent vote. He therefore trusted to the kind indulgence of the House, and would proceed to offer a few remarks upon what had been called and known as the Manitoba difficulty. It was well known that loud and long and bitter complaints had been made against the Metis because of the acts committed by them in the past. But he trusted the House would be prepared, without partiality or prejudice, to consider the question of an amnesty from an unbiassed and humane point of view. Let them bear in mind that the people of whom they were now speaking had not at the time to which he referred any of the opportunities or advantages of a civilized people, and that before they were brought into the Confederation they held the opinion—whether justly or unjustly—

whether rightly or wrongly—that they were the true owners of that territory which now constituted the Province of Manitoba. The people—a simple, guileless race—were governed by their own laws and regulations. What occurred? Without a word of warning, without a word of explanation, the bugle was sounded on the frontier, and these people were summoned to surrender themselves to a form of Government of which they were entirely ignorant. They became alarmed. They felt they were about to be deprived of their rights and privileges. They saw an enemy in every man who came from abroad, who appeared among them as a stranger, and fired by honest enthusiasm, and a patriotic desire to protect their hearths and homes from invasion, they defended themselves as best they could, placing themselves under the command of their chief. He asked the members of the House what they would have done under similar circumstances? They would have acted as the people of the North west acted. Add to that that the policy of the late Government was such as to disquiet their minds, and to excite their suspicions, and induce them to believe that confederation, or a change of Government, meant for them their entire extinction. Up to this stage of the proceedings no high-minded man in the Dominion could find fault with their doings; but unfortunately blood was shed, and the loss of one life had filled every Province in the Dominion with a feeling of heartfelt regret and sorrow. But who, after all, were primarily responsible for that which led to the death of SCOTT? He unhesitatingly answered that it was within the power of the late Government to have prevented any outbreak in Manitoba. By the exercise of even the most ordinary judgement they could have prevented it. But they preferred to use their authority at the point of the bayonet rather than to seek to secure the affections of the people by a policy of kindness and conciliation. The Government were warned. The House knew now, as a matter of fact, that Archbishop TACHE, when he saw the storm that was impending, and likely to burst with violence not only over the Province of Manitoba, but over the Dominion, hastened to the capital of the Dominion and being here, communicated with the member for Kingston and the late Sir GEORGE CARTIER, and other members of the Government, his fears of an insurrection. But his admonitions were disregarded—his views were scoffed at, and it was known that he was treated with such indecency that he left Ottawa with a sorrowing heart, and wended his way to the City of Rome where he was called on ecclesiastical duties. The Government felt itself all powerful; but that venerable prelate had scarcely arrived in the City of Rome, before the Government saw the mistake they had made. Like many other poor sinners they turned their eyes to the City of Rome, and through the agency of Mr. LANGEVIN, who had a brother a Bishop there, induced Archbishop TACHE to return to Canada, although when in Ottawa before they scarcely treated him with the ordinary courtesies of life. At a season of the year when it was difficult to travel, he arrived in the Capital of the Dominion, and was received with open arms by the very man who but a few weeks before had driven him forth amongst them without paying the slightest attention to the warnings he offered them in respect of the pending difficulties. They all knew what happened after that. They knew as a matter of fact that the Archbishop was commissioned by the late Government to represent them in Manitoba, that he did represent them; that he did all that man could do to prevent the shedding of blood. That he contributed largely to prevent disorder; that he brought about peace, and there was no honest man, according to his (Mr. DEVLIN'S) view, who, with the whole evidence before him, could arrive at any other conclusion than that the Right Hon. member for Kingston and his colleagues promised an amnesty in the fullest sense of the word to Archbishop TACHE. It was possible to communicate to another, by a sign, what you intended to do just as well as if the intention had been written or spoken; and no man who read the testimony before the House, without prejudice, could help coming to the conclusion that the Archbishop was fully impressed with the belief that a general amnesty would be granted. That question had been so fully discussed by the hon. member for South Bruce, that it would be presumptuous to follow in his steps. He had heard the hon. member for the first time, and he hoped the House would permit him to say that he was never more

captivated by the eloquence of any man than he was with that of the hon. member. The Dominion of Canada had reason to feel proud of her honoured son—the great orator, the eloquent statesman, and the true patriot. He would offer a few remarks upon what had fallen from the members from Terrebonne and Marquette. He was surprised at the position of the hon. member for Terrebonne. He had heard that gentleman declare his friendship for RIEL, LEPINE and all those engaged in the outrage in Manitoba; and yet he was found upon this occasion acting in concert with the member for North Hastings. The hon. member for Terrebonne would not vote for a five years' exile; he would have nothing less than an unconditional amnesty. He must know very well, however, that were a motion of that kind presented to the House it could not and would not carry. With the despatch from Lord CARNARVON before the House, upon which this resolution was founded, the idea of a complete amnesty could not for a moment be entertained. They had reason, he thought, to be proud of the course, which the hon. the Premier and his colleagues had thought proper to take upon this occasion. They knew that the question was surrounded with difficulty, that it had been a bone of contention amongst us for the last five years, and they determined at once to remove this cause of discord and dissension, and proposed what, in his humble judgment, was the only means by which that difficulty could be got over. He was surprised that any French Canadian should declare himself prepared to reject this resolution. Was there any motion before the House offering a general amnesty? He was sure that the hon. member for North Hastings, with whom the member for Terrebonne was acting, would not place such a motion before this House. The Premier and his colleagues he repeated were entitled to the gratitude of the House and the country for having grappled with this question and having found a way to settle the difficulty. The members from the Province of Quebec ought not to overlook the fact that in Ontario there was a large and influential body of citizens who regarded this question from a very different point of view. They must make mutual concessions, and it must be admitted that the concession they were asked to make was not a very alarming one, but that, as had been well said by the right hon. member for Kingston, the expatriation proposed was not a very dangerous one, and the exiles would simply have to reside in the State of New York instead of Manitoba. He had expected that every French Canadian who was not blinded by party prejudice would have voted for this resolution. He was surprised to hear the Right Hon. member for Kingston say that he would vote against the resolutions because they were unconstitutional. In 1856, during the Parliament of Canada, a resolution similar to that now before the House was introduced, upon which was founded an address to HER MAJESTY praying for the pardon of SMITH O'BRIEN. That motion was carried, the address founded upon it was presented to HER MAJESTY, and SMITH O'BRIEN afterwards thanked the people of Toronto for the interest they had taken in him in his unfortunate circumstances. If there was any one more than another who should be anxious to obtain an amnesty for RIEL and LEPINE, it was the Right Hon. the member for Kingston. And yet what would be the result of the action he proposed to take. He would keep RIEL in punishment all his life, simply because he fancied he saw a constitutional difficulty. There was no reason in the argument. It might be an excellent one with which to go to a constituency, but there was no reason in it nevertheless. He was also very much surprised at the arguments addressed to this House by the hon. member for Marquette. He had listened to his speech with profound attention. His utterances were remarkable for their eloquence, but it was astonishing that he ranged himself upon the side of those opposed to amnesty, coming as he did from the very place which had caused all this trouble—a trouble which it was now proposed to settle in a peaceful manner. He (Mr. DEVLIN) did not think it necessary to run over ground which had been travelled by other speakers, especially by the members for South Bruce and Kingston. He complimented the right hon. member for Kingston upon his treatment of the subject in hand, as well as upon the high position he occupied in this House—a position he trusted in the interest of the country he might long be permitted to hold. It was the duty of the House, he thought, to pass

this motion; to show the country an example of patience; to be just and impartial, and not to be uncharitable in their legislation upon this subject. If hon. members of this House did not set that good example, what could they expect from those outside who were removed from the influences in that direction which prevailed here. He believed hon. members should approach this question in a spirit of toleration, and he repeated that the gratitude of the country was due to the Premier and his colleagues for having wiped out this stain upon the country's honour.

Mr. GORDON said this question had narrowed down to three points. Some insisted upon the death penalty to RIEL and LEPINE for the part they took in the SCOTT tragedy. Some took the view that a complete and unconditional amnesty should be granted; while yet a third party took the middle course, that some sort of mitigated punishment should be awarded. In view of the circumstance under which the House found itself placed, and in view of the despatches from the Colonial Secretary, which were before them, the two extreme propositions of the death penalty and complete pardon were at once set at rest, and could not be considered. He would respectfully direct attention of the House to the following language of those despatches:—

"But, thinking, as I do, that the services rendered by these offenders in 1871 deserve to carry considerable weight, and should be liberally taken into consideration when justice has to be executed with respect to their previous offences; and admitting, indeed, that it is as impossible to permit the extreme sentence of death to be inflicted upon persons who have been recognized and dealt with as they have, as it is to allow them to go unpunished, I feel that the question which I have to consider is, not whether they should be amnestied (for that is not to be heard of,) but what kind of punishment will be just and reasonable in all the peculiar and conflicting circumstances of their case."

Again he stated in the same despatch:—

"You do not state what amount of imprisonment you would consider a proper commutation, but I assume that you contemplate a term sufficient to mark distinctly the sense which both the Crown and all right-minded men must entertain that his offence had been such as cannot be allowed to pass without substantial punishment. Whenever RIEL submits himself, or is brought to justice, it would seem right that he should suffer a similar punishment to that of LEPINE."

In answer to the telegram of the GOVERNOR, stating what was proposed to be done, Lord CARNARVON had sent a confirmatory despatch. The question of death and complete pardon had thus been disposed of in anticipation, and the only one that remained for consideration was the proposal of the Government. Upon a view of all the circumstances, they could only come to the conclusion that the motion of the Premier was manifestly that which met the necessities of the case, and would be a final settlement of the difficulty. If gentlemen opposite in their hearts differed from the opinion that there could be no more fair and just proposition made, they would move an amendment, proposing something which they thought better. But they failed to indicate any distinct line of policy on the question, for it was impossible to conceive a greater divergence of opinion than that existing between the hon. members for North Hastings and Terrebonne. It was therefore useless to look for any counsel from that side of the House, and they were again thrown back upon the policy of the Government as the only one really before them. That policy was worthy of the consideration of the House. The hon. member for Terrebonne had charged the Ministerial side of the House with having no policy. He need only remind him that in December, 1871, the Right Hon. member for Kingston had sent money to RIEL to get him away, and yet he and his party had never, to the time that they went out of power, been able to agree on a policy on the subject. It was now established beyond a doubt that promises of amnesty, more or less direct, had been made and had been proclaimed by Archbishop TACHE in the North-West. But the elections were near and the Government were afraid to take any decided steps. The arguments of the hon. member for South Norfolk were scarcely worth noticing, and reminded one very strongly of a certain gentleman's accounts—they were in a highly mixed up condition. He (Mr. GORDON) could not give a silent vote upon the subject. He heartily endorsed the policy of the Government and was not afraid to face the consequences.

Mr. MOUSSEAU rose to speak, but it being six o'clock the House took recess.

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AFTER RECESS

Mr. MOUSSEAU resumed his speech. He said when the House rose he was just enumerating the difficulties under which he labored in rising to speak on this most important question. First, he was suffering from a very severe cold, and second, he spoke in English, because he would like to speak in the language understood by a majority in the House to whose generosity he wished to appeal. A third cause of his difficulty was this. The hon. member for South Bruce, in his admirable speech of last night, or rather this morning, said he (Mr. MOUSSEAU) was an angel —an angel of mercy. He was quite unprepared for the new calling and did not know where he could find suitable wings. And supposing he could find them, an angel would still be out of place in this House and might expect bad treatment where there were so many Grits. But, to return to the subject. One of the many things essential for the building up of a great nation was, first, cordial union among its people. Without this, patriotism would be nothing,—a dead letter, an empty word. In speaking of union they should speak of it in the sense in which it ought to be understood and should prevail, that is, a union based on a due regard for the interests of all. One of GLADSTONE'S beautiful speeches, contained a sentence which might apply to this very case. He remarked—"The best financial system is the one not which serves better the farming, the industrial, the commercial or the maritime interests, but the one which alike serves all these interests." A union in this country must be one which ministers alike to the wants of all creeds, nationalities and interests. It was admitted on all hands that the North-West difficulty stood in the way of that union. It was the cloud which obscured our political horizon, which darkened our otherwise bright prospects for the future of this Confederation. We ought to work shoulder to shoulder to clear away this cloud. We ought by a brotherly union seek to remove that cloud. There was wisdom in the old saw "where there's a will there's a way." If everybody in this honorable House wished to remove these difficulties it would be very easy. Of course it would be necessary to approach this subject with a feeling of true patriotism. We should say as General GRANT at a critical period remarked, "Let us have peace." In all countries, as in this one, where there were various nationalities and creeds to be dealt with, and where there were minorities it had always been observed that minorities were always very sensitive, and sometimes the majorities in a generous spirit came to their relief, and by sometimes laying aside small prejudices quieted these feelings of susceptibility. In this case it was exactly the mistrust of the minority in the majority which rendered the difficulty so great. The result of that was apparent, especially in Quebec Province as in Manitoba. In Quebec Province the people, for reasons which he would indicate by and by, were convinced that all the trouble in the North-West came from an intention not to grant the rights, privileges and immunities to which the people of Manitoba were entitled. They were convinced that RIEL was out of the country and denied his seat because he belonged to the minority. They thought the offence which was the cause of all the trouble was the logical and obvious incident resulting from the movement of a young people to get those rights, privileges and immunities which had been granted to every Province of the Dominion, and which, he might say, were the birthright of English subjects. But he would be answered that this was mere feeling and sentiment, that a great crime had been committed, that one of those connected with it had been tried and convicted, and another had been declared an outlaw, and that the law must be vindicated. But he wished to say that when he appealed to the generosity of the majority of the House he did not appeal as a beggar, but as one who had some weighty considerations of sound public policy in favor of the demand he made. The GOVERNOR-GENERAL, in his letter to the Minister of Justice with reference to the commutation of LEPINE'S sentence, said he was of opinion "that subsequent circumstances, and notably the relations entered into with the prisoner and his associates, are such as to in a great degree to fetter the hands of justice." These weighty words established the position he (Mr. MOUSSEAU) took. It was admitted by the Chief of the State that circumstances of so important a character had occurred as to justify the commutation of LEPINE'S sentence to two years imprisonment, and permanent loss of his political rights.

And it should be remembered that these circumstances occurred subsequent to the execution of SCOTT. He desired to direct the attention of the House to a few prominent historical facts in support of the ground which he had taken. The first was the passage of the Manitoba Act of 1870. That statute was based upon principles which if fully carried out would lead to a solution of the difficulty with which they were now dealing. There were two peculiar features connected with the attempt of Lieutenant-Governor MACDOUGALL to enter and take possession of the North-West in the fall of 1869 which had not received that consideration which their importance deserved. The first was that Mr. MACDOUGALL had no authority to take control of that country. The transfer of the North-West territory to the Canadian Government had not been regularly made; the proclamation absolutely necessary to transfer the country had not then been issued, so that he had not the least authority in that territory. On the other hand, the only authorities in the territory—the Council of Assinaboine and the Governor of the Hudson Bay Company—thought that their rule had ceased, so that at that time the people of the country were without the protection of any Government. These facts would have great weight in the consideration of another matter which he would come to shortly, namely, the other wonderful despatch of Lord CARNARVON. But there being no Government in the country, the people formed a provisional Government, first, with Mr. BRUCE as President, and then with RIEL. They did not rebel against any power, because there was none in the country, About the same time or a little previous, the mistakes of some officials sent by the Dominion Government had aroused their fears and anxieties lest their rights of property would be invaded. The transfer of the country by the Imperial to the Canadian Government was also calculated to excite their apprehensions, as Lord CLARENDON had admitted in speaking on the subject in the House of Lords. The people of the country thought that they were being sold and transferred to other rulers as if they had no rights which should be respected. However, during the whole course of these proceedings the people remained quiet and peaceable. They did not ask anything more than what was enjoyed by the people of all the other Provinces. They held peaceable meetings and discussed their rights, their wants, their privileges and their immunities. They agreed to a Bill of Rights, and sent delegates to Ottawa with it. These delegates were received by the Government and the result was the Manitoba Act of 1870, which was in itself an acknowledgement in the past of the Federal authorities of all the demands embraced in the Bill of Rights; that is, the Government both Imperial and Federal acknowledged that the people of Manitoba in the absence of any Government to protect their interests were perfectly right in establishing a Government of their own, and in demanding all the rights and privileges of other citizens of the Dominion. Had these facts been better appreciated perhaps some harsh words to be found in the memorandum of His Excellency the GOVERNOR-GENERAL would not have been used, and some incorrect facts in the letter of Lord CARNARVON would not have been stated. Coming to the next prominent historical fact in connection with this question,—a fact much to be deplored,—the execution of SCOTT, he wished to refer to the efforts put forth by Archbishop TACHE. As the member for Montreal Centre had remarked, when the troubles arose in the North-West every one turned his eyes to the Eternal City, and Archbishop TACHE was not only telegraphed to come, but he was begged to come by the Federal Government at the express desire of the Imperial Government. The late GOVERNOR-GENERAL, Sir JOHN YOUNG, wrote to the Archbishop under date February 16, 1870, as follows:—

"MY DEAR LORD BISHOP,—I am anxious to express to you before you set out, the deep sense of obligation which I feel is due to you for giving up your residence at Rome, leaving the great and interesting affairs in which you were engaged there, and undertaking at this inclement season the long voyage across the Atlantic, and long journey across this Continent, for the purpose of rendering service to HER MAJESTY'S Government, and engaging in a mission in the cause of peace and civilization. Lord GRANVILLE was anxious to avail himself of your valuable assistance from the outset, and I am heartily glad that you have proved willing to afford it so promptly and generously. You are fully in possession of the views of my Government, and the Imperial Government, as I informed you, is earnest in the desire to see the North-West Territory united to the Dominion on equitable conditions."

He read this extract from Lord LISGAR's letter in order to establish the position which Archbishop TACHE held when he was sent up to the North-West. He was a kind of Ambassador—a negotiator, empowered both by the Imperial and Canadian Governments to do all that was necessary in order to produce peace with that country, and, as Lord LISGAR expressed it in his letter, to unite that territory to the Dominion on equitable conditions. He would pass over many facts which were well known to the House, and which fully established the fact that the Archbishop was empowered in the way he had stated. He came now to another point which he would treat very briefly, as it had been fully discussed by his hon. friend from Terrebonne. Archbishop TACHE arrived in the territory after the execution of SCOTT, and finding the country on the verge of civil war, he thought it his duty and within the instructions he had received to promise an amnesty. He wrote to the Federal Government informing them of what he had done. What answer did he receive? Was his promise of amnesty revoked, and was his commission withdrawn? Not at all. It was said that he had exceeded his instructions. But what did the Hon. JOSEPH HOWE write to him in the name of the Canadian Government? In his letter to the Archbishop of the 4th July, 1870, in reply to the letter of the latter, stating what course he had taken with reference to an amnesty, Mr. HOWE said:—

"Though I have felt it my duty to be thus explicit in dealing with the principal subject of your letter, I trust I need not assure you that your zealous and valuable exertions to calm the public mind in the North-West are duly appreciated here, and I am confident that when you regard the obstructions which have been interposed to the adoption of a liberal and enlightened policy for Manitoba, you will not be disposed to relax your exertions until that policy is formally established."

He need say nothing more to establish the fact that the course taken by the Archbishop in promising an amnesty after the unfortunate death of SCOTT was fully endorsed by the Canadian Government; because so far from his conduct being disavowed, he was requested to continue his services in the same direction. He would now call the attention of the House to another phase of the subject, viz: the consequence of a negociator or an ambassador exceeding his powers, while at the same time his whole conduct is endorsed and approved by the Government that employed him. He would ask the House to refer to the skilfully prepared memorandum contained in the despatches laid before the House on Pages 31, 32, 33 & 34, where the authorities on this point were quoted and which bear out the opinion that when a Government endorses the conduct of its Ambassador in reference to transactions which he has conducted in excess of his instructions, that they were then responsible for such transactions. These principles of law were entirely applicable to the case of Archbishop TACHE. Supposing that he had exceeded his instructions the very fact that he was continued in the same service by the Government, and that his promises were not revoked, was sufficient evidence that the Canadian Government as well as the Imperial Government, were responsible for such promises. He would now refer to another historical fact which went to establish the justice of a complete amnesty, namely, the Fenian raid. An affidavit had been read to this House in reference to the conduct of RIEL and his associates, on that occasion, but when it was considered that that affidavit was made by an unknown person and contained statements which were absurd on the face of them and he thought that no one would accept it in opposition to the testimony of a gentleman of so high a standing as Lieut-Governor ARCHIBALD. It was a well known principle of public law that in the case of a rebellion when the State accepted the services of some of its subjects supposed to be in rebellion, such act was always held to imply an amnesty for former offences and there was no case in history in which such persons, whose services were thus accepted, were subsequently prosecuted and punished. He had now referred to the most important historical facts bearing upon this question, and he held that they went very far to establish that a general amnesty could be granted without wounding the feelings of any one. He had listened with astonishment to the speech of the hon. the accidental member for Marquette. That gentleman had told the House that there was an intense feeling throughout his Province against amnesty. The member for Terrebonne had shown conclusively that that

gentleman had misrepresented the public sentiment of that Province, and the best proof of that was to be found in the fact that the Legislative Assembly of Manitoba, composed of both French and English, had passed an address praying for an amnesty. He (Mr. MOUSSEAU) hoped that in view of the historical facts to which he had referred, and which established the justice of an amnesty, the feelings against such a course, would now pass away. The English people were a law-abiding people, and that quality was one much to be admired, but the law had had its course, and those who were against an amnesty ought now to be satisfied, because those people who had been guilty of the offences complained of had suffered to a very great extent—to an extent unknown to most of the members of the House. LEPINE had been tried and convicted by a jury of his fellow citizens. Curiously enough, that trial was followed by another in which it was impossible to get a verdict. We must conclude, therefore, that the first verdict was the result of a packed jury and of a strong charge from a partial judge. He had his own opinions on that point, and, if there was another debate upon the commutation of LEPINE'S sentence, he might adduce some facts which he was not now called upon to state, or it was due to that praiseworthy quality of being law-abiding. Truly, if there was no partiality on the part of the judge, the verdict was most curious, and it was to a certain extent most creditable to the French Halfbreeds. They had been accustomed, as peaceful and law-abiding citizens, to obey all lawful authority, which, so far as they knew, consisted of the Hudson's Bay Co., and their religious instructors. It was creditable to them that notwithstanding the fact that they were most deeply wounded in their feelings when they heard that a fellow subject, almost a relation, was guilty of murder, they rendered a verdict of guilty. That fact should be duly considered in favour of a general amnesty. LEPINE had been tried, convicted and sentenced. He had got a reprieve, but that was not enough. RIEL, who was considered the most guilty of all implicated in the troubles, was the one who had most deeply suffered. He had been for five years a fugitive, exiled and hunted. He had been obliged to desert his home, there was nobody to care for his poor old mother, and members of his family had died one after the other. These were sufferings not to be despised by those who called for RIEL'S blood. There would, he was sure, be an outburst of generosity when all the facts were known and considered, which would induce every member of this House to vote for a general amnesty. The hon. member for South Bruce merely advocated the fulfilment of promises made by members of the late Government, but there was a broader and higher ground on which all the members of this House could stand for granting a general amnesty. This question had been most unfairly treated in the past. During the last five years the manner in which it had been used by certain politicians in certain parts of the country was most scandalous, and calculated to teach the most immoral lessons to the young men of the country at the outset of their public career. In 1871, during the general elections in Ontario, SANDFIELD MACDONALD was publicly condemned by the then Opposition members because he was the puppet of Sir JOHN MACDONALD, who, they asserted, was the tool of the French and the Popish party of Quebec, and this was the reason why RIEL had escaped punishment. Now, was not this most scandalous, and a most immoral lesson for the young men of the country? Was it not a most scandalous misuse of the Manitoba affair, by hon. gentlemen on the opposite side of the House, to blacken and injure the character of political opponents? These were the engines used in Ontario by the hon. member for South Bruce to attack the Administration of the day. In Quebec Sir GEORGE CARTIER was denounced as a vile traitor because he did not promise amnesty. M. MOUSSEAU then proceeded to speak of HIS EXCELLENCY'S despatch to Lord CARNARVON. He was aware that he was treading on delicate ground, but these despatches were laid before the House to be read and criticised in a respectful manner. In perusing the memorandum of His Excellency the GOVERNOR-GENERAL, he noticed very often the words "atrocious crime," "brutal murder," &c. It was employed many times, and it was evident that HIS EXCELLENCY had not been put in possession by his advisers of all necessary

papers: if he had been, they might have induced him to modify or alter his opinion. His Excellency states:

"Perhaps my duty as regards the matter in hand will not be altogether completed unless I transmit to your Lordship some idea of the general view taken of this question by the population at large. With regard to the French section of Her Majesty's subjects, I may say that although there are probably few of them who do not regard the death of Scott as a regrettable event, they were united to a man in the opinion that the part played by Riel in the North-West was that of a brave and spirited patriot; that it is principally to him and to those who acted with him that Manitoba owes her present privileges of self-government and her parity of rank and standing with her sister Provinces. They are equally convinced that the Government of Canada and of Her Majesty are bound by the promises of the Archbishop, and that the Government Riel established at Red River was authoritative and legitimate; nor do I think will they ever be persuaded that the language held by Sir George Cartier did not imply a direct and explicit assurance of immunity to the murderers of Scott, on their submission to the new order of things established under the auspices of the Manitoba Act, and by the advent of Lieutenant-Governor Archibald at Fort Garry."

His Excellency also transmitted a petition, drawn up in most respectful terms, and signed by eight Catholic Bishops—all the Bishops of Quebec, and the Bishop at Ottawa. That petition prayed for a general and full amnesty as one of the means of conciliating the French minority of Quebec and Manitoba. It was founded upon reasons which must be admitted to be very strong, and which he had already mentioned to the House. It seemed to him that when a whole race was concerned which had never been distinguished by any proclivities for breaking the laws, but on the contrary was always ready to rise for the defence of the glorious British flag; who, in the course of their history, had done a great many glorious deeds in defending the honour of England; when such a nation, he repeated, asked for an amnesty, he did not think that those for whom they pleaded ought to be regarded as common marauders. England, he thought, was bound to give the amnesty. What was the answer given by Lord Carnarvon? He says:—

The third plea that the murderers of Scott represented a *de facto* Government, and are consequently excusable on political grounds, is one which I cannot for a moment entertain. There could be within the Queen's possessions in North America no power or pretence of establishing a *de facto* Government, independent of, or defying Her Majesty and her officers, which could aspire to any such immunity as that claimed; and any argument based on the view of such a state of things being possible, is in my opinion not even worthy of discussion.

There was in this despatch a display of ignorance or an incomplete knowledge of the facts, or perhaps both. The last section of the despatch alluded to said:—

"There yet remains a further question, whether it should not be a condition of any commutation of sentence, that those actually concerned in the murder of Scott should be deprived of the power of taking part in political affairs within the Dominion. It has been a source of much pain to many who, like myself, take pride in the public institutions of Canada, to hear of the Legislature being disgraced by the election to the House of Commons and the presence within its walls of a criminal like Riel; and I wholly fail to understand how any section of the Canadian people, of whatever race or creed, can so far mistake the true character of these unhappy proceedings as to throw over them the colour of patriotism. I should not therefore think it unreasonable, while it would undoubtedly conduce to a higher tone of constitutional morality, that the liberation of the criminals after the expiration of their commuted sentence, should be accompanied by some stringent conditions as to their good conduct, if they remain in any part of Canada, and by their total exclusion from any participation in political or parliamentary life.

He was not ashamed to repeat the assertion that these despatches were the result either of ignorance or incomplete information in regard to the facts and the great principles at stake. He took very much trouble to state the beginning of these difficulties. He had said first that there was no rebellion whatever. He would go so far as to say that it was a common error upon the part of everybody to call these men rebels, for there could be no rebellion where there was no Sovereign power against which to rebel. Mr. Macdougall had no right to enter the territory, nor had the Canadian Government any right to send him until the Proclamation of the Imperial Government, sanctioning the transfer of the North-West territory from the Hudson's Bay Company, was published in the London *Gazette*. This was admitted by the Imperial authorities, and Mr. Macdougall himself was rebuked by them for the part he played upon that occasion. By an unfortunate concurrence of circumstances, Mr. Macdougall made his unlawful attempt to take possession of the territory after the Council of Assiniboia had virtually resigned their authority into the hands of the Provisional Govern-

ment, and Mr. RIEL and his colleagues were *de facto* the rulers of the North-West. In the "History of the Red River Troubles" the following passage occurs in reference to the visit of Mr. SUTHERLAND to Governor McTAVISH in order to ascertain whether he was favourable to the formation of a Provisional Government. Mr. SUTHERLAND is speaking: "I went with Mr. FRASER to see Governor McTAVISH, and asked him his opinion as to the advisability of forming a Provisional Government. He said form a Government by all means and restore peace in the territory." He did not know whether it was the fault of the Government in not informing the GOVERNOR-GENERAL, or whether it was the fault of the GOVERNOR-GENERAL in not transmitting the information to England, but there was no mention in any of the despatches of these important facts. As far as was possible for any regularity to exist, that Government was most regularly formed according to the law of nations. Any respectable jurisconsult would pro nounce it a Government regularly formed, because it had been formed by the consent of the people, and in the absence of any existing authority. It was not a Government formed against another Government, for there was no other Government existing. That was the reason why he had said that there was no rebellion. It was formed by the people who wanted to protect their own property, and who had no protection from the very fact that there was no authority existing in the territory at the time. There was another view of the question. He asserted most positively, that according to the modern law of nations, even supposing there had been, at the time, an authority existing, the people of the territory would have been justified in resisting that authority because it was intended to dispose of them as if they had been mere cattle. The House of Lords and the House of Commons, and indeed all the Imperial authorities, were agreed that the manner in which the North West Territory was transferred from the Hudson's Bay Company to the Canadian Government, was unconstitutional and a gross blunder from beginning to end. There was no right existing by which the Sovereign of any country could dispose of the people as if they were mere cattle. He was the more astonished to see such opinions as those expressed by Lord CARNARVON, prevailing in the administration of Mr. DISRAELI, from the fact that after the Franco-German war had ended, one of the leading English journals, which was generally supposed to have great weight amongst the people, and to give a very fair expression of the national feeling, advised Prussia that before taking possession of Alsace and Lorraine the voice of the inhabitants of those Provinces should be consulted to see whether they wanted to be united to Prussia or not. When the Press of a country went so far in its impartiality in dealing with the subjects of another nationality, he could not understand how Lord CARNARVON could have treated the subject so lightly, and spoken of the troubles in the North-west as a rebellion and an outbreak. It is true the people wanted to be annexed to this country, but they wanted to be annexed with all the privileges, immunities and rights which belonged to the other subjects of the British Empire. Previous to the shooting of the unfortunate SCOTT, the people had good reason to organise a Provisional Government, and consequently they had a right to be considered as a Government *de facto*. He failed, therefore, to understand how Lord CARNARVON could go so far as to state that the subject was not even worthy of discussion. Perhaps his (Mr. MOUSSEAU'S) voice was too weak and too far distant for his words to be heard by that nobleman; but he hoped that Lord CARNARVON, in dealing with Canadian matters, would better inform himself, in order to avoid the blundering which had characterized the action of English statesmen on Colonial questions. It was the blundering of British statesmen which had deprived Canada of so many valuable rights and so much territory that naturally belonged to it. The execution of SCOTT was not, under the circumstances, a crime, as some people called it, nor yet a murder, as other people termed it; it was the act of a Government organizing an administration for the affairs of the country, and was at most only what others called an error of judgment. As such it must be dealt with, and not as an outrageous and brutal murder. The language of Lord CARNARVON was insulting to the whole nationality, and was based upon incorrect information or ignorance, instead of being an opinion framed fairly and honestly with the whole facts that were

before him. There was one view of the question which was entirely omitted from the despatches, and which did not appear to have received sufficient attention at the hands of the Government. The subject to which he referred was the result of the Manitoba Act, which included the demands of the half-breeds, as laid down in their bill of rights, as accepted by the people and the Provisional Government, and so committed to the delegates. There were many authorities he could quote in justification of his opinion of the regularity of the proceedings of the half-breeds in forming the Provisional Government; but he would content himself with chosing one which bore directly upon this subject. That authority was Burlamagin's "National and International Law," Vol. 5, page 266: "Another question is to know whether a Sovereign or a State must keep the treaties of peace and settlement made with rebel subjects. I answer first, when a Sovereign has reduced his rebel subjects by the force of arms, it is his business to see how he will treat them; but, second, if he has entered with them into any conciliatory arrangement, he is by that mere fact alone deemed to have forgiven them all the past. He could not, therefore, with any reason dispense with keeping his engagements." The Manitoba Act covered this ground entirely. It was a regular treaty between a Sovereign and her subjects; it was the concession to the inhabitants of the territory of their unequivocal, entire and complete claims, and of all their civil rights and privileges. The Federal Government having assented to these claims, and the Imperial Government having also assented to them, a claim to a complete amnesty was also established. He thanked the Government for the tribute paid by them to the late Sir GEORGE CARTIER in having based the resolutions now before the House upon a promise he was said to have made of an amnesty. He thanked the Government for at last acknowledging the great services rendered by the deceased baronet. They must of course remember their battles with him, and the great cries they raised against him because he was too weak to exact an amnesty from that great Orangeman the hon. member for Kingston. The hon. member for Montreal Centre had pressed them to accept the motion of the Government, because if they refused it Lord CARNARVON would refuse an amnesty. He did not think this would be the result. He believed if the House of Commons of Canada would say that the circumstances of the country, its quiet, its peace, its prosperity, required that an absolute amnesty should be granted, and if at the same time we took the trouble to send Lord CARNARVON more complete and correct information on the subject, so that he would see and understand the facts more fully, he was sure that Ministers in England would at once comply with the request. One word more and he would finish. He would take another ground. He would state that everybody from the Province of Quebec, and everybody representing the Halfbreeds of Manitoba, everybody representing the French minority in this Dominion, if he voted for these resolutions was committing himself to the entire endorsation of the insults of Lord CARNARVON to the whole Province and the whole race. He therefore moved in amendment to the motion of the First Minister, that the three last paragraphs of the said motion be struck out and the following substituted therefor:

"That, regretting that the Ministers "did not admit it to be their duty to advise "His Excellency the GOVERNOR-GENERAL "to grant a complete pardon to Mr. A. D. "LEPINE, this House is of opinion, as an "obvious conquence of the principles laid "down in the same motion, that it would "be proper that a full amnesty should be "granted to all persons concerned in the "North-West troubles, and for all acts "committed on the occasion of the said "troubles."

Mr. LAURIER said it was not his intention to enter into any discussion of the question now before the House. He considered that the question had been fully discussed, and the points fairly and exhaustively laid before the House. His sole object in rising was to answer the challenge thrown across the floor of the House to the French members of the Liberal party, to the effect that they were voting a complete amnesty and supporting a limited one. Last year, when a similar motion was presented to the House, by the hon. member for Bagot, the Liberal party had voted against it, not because their convictions were averse to the principles of the motion, nor because they had any hesitation as to the real merits of the ques-

tion, for they thought then, as they thought now, that an amnesty ought to be proclaimed covering all the offence connected with the troubles of 1869-70. But the circumstances under which they voted were their reason, and their only reason, for the course they took. A Committee had been appointed to investigate whether an amnesty had been promised to the promoters of these troubles and the actors therein or not. The motion for the appointment of that Committee had been adopted unanimously by the House, and it would have been a strange contradiction indeed if the House had stepped over the head of the Committee without waiting for the result of the evidence which might be produced before them. There was another reason for their action. The members from the Provinces of Quebec and Ontario had taken a deep interest in the troubles in Manitoba; they had each followed them closely as they occurred; their opinions had been gradually formed, and were more or less irrevocable. But there were members from the Lower and Western Provinces who had not formed any opinion, and who would not form any until the evidence was before the House. Although he fully sympathized with the spirit of the motion of the hon. member for Bagot, for these considerations, he was bound to vote against it. He recalled these things for the purpose of setting himself and his party right before the House and before the country. He charged hon. gentlemen opposite with endeavoring to raise an undue influence, and excite the prejudices of the Province of Quebec. When the House was not in possession of the facts, he wanted them to vote upon an amnesty; and now that the House was in possession of the facts, and also in possession of despatches from the Imperial Government which plainly indicated the only course that was open to them, he again desired them to vote upon the question of a complete amnesty. Was not this attempting to raise undue prejudices and influences in the Province of Quebec. He charged the hon. gentleman with endeavouring to make political capital out of the question. Since last session circumstances had altered. The Committee had sat, and they had the report before them, and they were now in full possession of all facts connected with those unfortunate events. Now the time had come to discuss that question, and to consider what was necessary to be done to settle it at once and forever. But perhaps, in making use of those expressions, he might be in error. The question would be decided at once and forever if decided in a sense of leniency; but if decided in a harsh sense, in a sense of mistaken justice, for there was no more certain fact, as proved by the most unerring testimony of historical events than that political offences must sooner or later be forgiven. History has proved to us that there has never been peace or harmony in any country until a free pardon has been given for all offences of this kind. Those who oppose Mr. RIEL and his associates most bitterly could not expect that they would continue to remain cut off from society, however odious the part might be considered that they took in the troubles referred to. It would be an easy task to show such men and everybody else from historical records that men charged with crimes of this nature were invariably restored to the place they originally held in society. We are told upon this occasion that the question was a national and religious one, and the hon. member for Hastings stated that an amnesty was proposed because RIEL and LEPINE were of French origin. He would commend this opinion to the consideration of the hon. member for Terrebonne, and those who acted in concert with him. Perhaps the hon. member for North Hastings who did not tell them that the amnesty was granted because RIEL and LEPINE were both French, would excuse him if he said that he did not share his views; and if he only thought the hon. member was serious in making the allegation, he might be permitted to ask whether he was not himself opposed to the amnesty because those to whom it was proposed to be granted were French. Now, he (Mr. LAURIER) recollected those facts, and also the expression that had fallen from one of his colleagues, that this was simply a religious and national question. He repelled that idea. The Liberal party of Quebec did not make it a question of race or religion, but dealt with it solely as a question of justice. For his part he regretted that it was so often deemed necessary to remind the House that our nation is composed of different creeds and races, and that the law gives to each and all in this Dominion a full and equal share

of liberty and happiness. It was true they were separated by their origin and religion, ut he claimed they were united by a common aim and common interests. They were united by this, that everybody should have a full and equal share of justice and liberty, and in that respect all the creeds and races of this country had an identical interest, for if the liberties of one were to be invaded in any way, the liberties of the others would be jeopardized. He was here as a delegate of the Canadian people, to give justice to those to whom it was due, without bias or favor. He was French, and he did not claim to be free from preferences. He was not an angel, and though he professed to respect and love all the races of this country, yet there was one for which he felt a kinder sympathy, but he would scorn to be led away from the path of duty on account of that preference. He had laid down this confession of principle purposely, because he knew they were the principles of the great French Liberal party to which he belonged, and they intended not only upon the floor of this House, but also throughout this Dominion, to make away with questions of race and religion. He was ready to admit that on the question before the House there had been bitter feelings aroused in Quebec, where a certain portion of the press went so far as to say that the killing of SCOTT was no murder at all. Gentlemen from Ontario would admit that equally bitter feelings had been aroused in that Province, and even in this House it had been said that blood must be shed as an atonement for the death of SCOTT. He was sure moderate men would seek a medium course for justice and truth. His views had not been changed on the subject since last session. He still believed that a full amnesty should be given as promised. But the Imperial Government said that a complete amnesty was out of the question, and, therefore, nothing more need be said on that point. He was disposed to think that out of this great evil some good must arise ; that the two great Provinces of Ontario and Quebec would be drawn nearer together, would shake hands over the chasm and reap a great benefit. He desired to answer the challenge which had been brought against them by the hon. member for Terrebonne for the course that they followed. The hon. member told them they should separate their allegiance from the Government, because they would not grant a complete amnesty, at the same time pointing to the fact that he had threatened to sever his allegiance from the late Government under similar circumstances. That threat was made at a time when the late Government were under trial for a great crime, of which they stood accused. He (Mr. LAURIER) was not at all surprised that the hon. gentleman threatened to desert them under such circumstances, and his only surprise was that he did not do it at the time. If ever this Government should stand charged with the same crime, he (Mr. LAURIER) would at once withdraw his allegiance from it unconditionally and absolutely. Suppose they should follow the advice of the hon. member, the consequence would be they would be in this House without any other base than a distinction of race. So that the Liberal Party of Quebec would never be a Party. Suppose it should have the effect of upsetting the Government, they would be in the same position as the Conservatives from Quebec who were lashed yesterday by their chief—to be told that no promise of amnesty had been given—that the House of Commons had no power to grant one ; and be told as the people of Toronto were recently—that the commutation of LEPINE'S sentence was a disgrace to the country. The hon. gentleman might follow that policy, but the Liberals from Quebec would never do so. They could not, in view of Lord CARNARVON'S despatch, do better than accept the Government's offer ; and he was somewhat surprised that such a strong Conservative as the hon. member for Bagot was willing to commit himself to the course of demanding that which Earl CARNARVON declared to be out of the question. He (Mr. LAURIER) never called the hon gentleman a demagogue, but he could not find an expression to characterize one who professed to be a strong Conservative, and yet wanted to commit the House to a policy opposed to that of the Imperial Government. He (Mr. LAURIER) was not a Conservative, and he would not do it. It was absolutely useless to ask for a complete amnesty, and that was the only reason why the Liberals of Quebec supported the policy now proposed by the Government. When he said the only reason, he was in error. There was

another reason. It would have the effect of burying the past in oblivion, and of promoting a policy of self-respect between the two great Provinces of the Dominion. The hon. member of North Hastings, in his speech yesterday, had made a statement, not exactly in a threatening manner, but had warned the people of Ontario of the consequences the statement would have for them. It was that the Liberals of Quebec had been telling on the hustings that the Government would grant an amnesty. He warned the Liberals of Ontario what grave consequences would follow if they carried out that policy. The Liberal party of Quebec had always said, and he repeated it now and wished it should be known throughout the length and breadth of Ontario, that the Liberals of Quebec, for the settlement of this question, depended upon the justice of this Province. They had during the elections last summer stated that the Liberals of Ontario would alone have the courage and manliness to settle it. He would like the statement to be known in this House and throughout Ontario that they had now the fulfilment of the promises to their Lower Canada fellow-countrymen. They were aware and remembered that in former years the Liberal chiefs had acted together; that BALDWIN and LAFONTAINE had followed the course pursued by the present Government, and they found the present Ministry not only a chip of the old block, but the old block itself. He knew political capital would be made by their opponents out of their attitude on this question, but for his part he did not fear it. He was prepared to meet his adversaries before the people and discuss the subject. The hon. member for Bagot tried last session to make political capital by a resolution for a general amnesty, but failed in his object. It did not turn a single vote in Quebec and he would fail again in his attempt, for the strong sense of Quebec was against him. He (Mr. LAURIER) could not but approve of the course adopted by the Government.

L'Hon. M. FOURNIER. Après les nombreux discours qui ont été prononcés, ce n'est pas mon intention de parcourir tout le terrain de la question, et surtout de répéter ce qui a été si bien dit au soutien de la Résolution en faveur de l'amnistie. Ces discours ont porté la conviction dans l'esprit des membres que la vérité des faits et la force des circonstances exigeaient une solution de cette question. J'ai lu avec le plus grand soin M. l'ORATEUR, le rapport de l'enquête, et la connaissance parfaite que j'en ai me justifie de dire que la position prise par le Gouvernement est la plus sage; elle est aussi la seule praticable sous les circonstances.

Je trouve dans ce rapport, M. l'ORATEUR, les promesses les plus formelles d'une amnistie; j'y trouve aussi la reconnaissance par la dernière administration du Gouvernement provisoire du Nord-Ouest. Je tire de ces faits des conclusions qui, sous plusieurs rapports, ne sont pas différentes de celles que d'honorables membres de l'autre côté de la Chambre croient devoir en tirer. Mais pendant que les députés de Terrebonne, de Bagot et autres assurent que les promesses de l'amnistie ont été faites, les dénégations souvent répétées du député de Kingston causent des difficultés et des embarras. Je demanderais avec eux l'amnistie entière, mais après la dépêche de lord CARNARVON, dans laquelle il nous déclare solennellement que l'amnistie complète ne peut être accordée, la position la plus logique et la plus favorable à la justice, aux Métis et à messieurs LÉPINE et RIEL n'est-elle pas celle que le Gouvernement a prise. (Appl.)

Cette position est aussi la plus logique. Et à ce propos je dirai que les messieurs qui, de l'autre côté de la Chambre, parlent de logique comme s'ils en avaient l'usage exclusif, nous mèneraient avec leur logique particulière, à de tristes résultats. Cette logique, M. l'ORATEUR, nous conduirait à l'exile perpétuel de RIEL; elle condamnerait LÉPINE à la perte de ses droits civils; elle condamnerait la population de Manitoba à subir, sans répit et pour longtemps encore, les inquiétudes et les poignantes misères d'une situation aussi critique que regrettable.

A l'heure où nous nous perdons dans de longues discussions de question de droit public, il y a des gens à Manitoba qui sont affectés par l'amnistie et dont le procès a peut-être lieu en ce moment. Leur liberté et leur bien-être sont par conséquent en jeu. En acceptant la logique de nos adversaires, nous exposons des Métis à être frappés par le bras de la loi; nous continuons en toute certitude et sans raison suffisante l'anxiété et les inquiétudes qu'ils éprouvent nécessairement. (Appl.)

Si c'est là de la logique, ça n'est pas du bon sens. Les électeurs du pays en jugeront ainsi, quand on leur expliquera que, ne pouvant obtenir plus, nous avons obtenu de la clémence impériale le moyen de sauver RIEL et LÉPINE d'une peine plus forte, et qu'il était préférable de les soustraire à une justice sévère en acceptant leur banissement pour cinq années, que de les exposer à des dangers imminents, en demandant une amnistie entière. Il est temps que cette question reçoive sa solution dans l'intérêt du pays, sa paix et sa prospérité.

L'hon. Député de Terrebonne a vanté ses sacrifices pour la population de Manitoba, sur laquelle il étend son égide protecteur. Et cependant la position prise par l'hon. député de Terrebonne est la plus désavantageuse qu'il pouvait prendre pour ses protégés. Cela prouve que c'est l'esprit de parti qui domine dans les sentiments de l'hon. député et non pas l'esprit de dévouement pour les habitants du Manitoba ou aucun d'eux. Ce ne serait pas rendre service au député de Terrebonne que d'accorder l'amnistie entière et complète ; car ce serait lui ôter l'occasion, dont il use et dont il abuse, d'agiter le pays et de susciter des difficultés injustes au gouvernement.

Comme l'a fait observer l'hon. Député de Drummond et d'Arthabaska, il est inexact que le député de Terrebonne ait signifié, à une époque antérieure, à l'hon. M. LANGEVIN qu'il cesserait de soutenir son gouvernement si l'amnistie n'était pas accordée, car il a soutenu l'ex-ministre des Travaux Publics jusqu'au bout. Il est certain que, dans toute cette affaire, la conduite singulière d'un membre de l'importance du député de Terrebonne, est non seulement désavantageuse à ceux qu'il veut protéger, mais elle est digne de la conduite de la dernière administration. Qu'a fait la dernière administration dans cette question ? Des promesses que le chef de cette même ex-administration nie mainenant. Le député de Terrebonne devrait s'apercevoir du défaut de sincérité de son chef et ne pas le soutenir comme il le fait dans cette position audacieuse.

Tout ce qu'a fait la dernière administration, ça été de remettre la question entre les mains du gouvernement impérial, duquel il semblait tout attendre et dont il n'a rien obtenu. Le député de Terrebonne sait tout cela depuis longtemps et cependant il n'en a jamais rien dit à SIR JOHN non plus que ses amis.

Mais s'agit-il de critiquer une nouvelle administration qui a fait et fait encore le plus possible pour régler la question d'amnistie, et qui réussit dans la plus large mesure possible sous les circonstances, alors le zèle du député de Terrebonne et de ses amis à nous attaquer, n'a plus de bornes. Le peu de générosité que le gouvernement a rencontré de la part d'une certaine partie de la presse, est vraiment regrettable, et il (l'hon. M. FOURNIER) en prend occasion de constater ce fait pour protester contre tant de fausses représentations et tant d'injustices.

Des l'avénement du nouveau ministère, l'hon. M. DORION a montré des dispositions très favorables à l'amnistie et on a même cité son témoignage qui montre en effet qu'il était bien disposé. D'autres ont même voulu compromettre l'hon. M. DORION en disant qu'il avait promis l'amnistie. Je puis dire que l'hon M. DORION n'a pas fait de promesses qu'il n'a pas tenues, et MGR. TACHÉ lui en a donné le témoignage en disant qu'il aimait mieux ne pas avoir eu de promesses que d'en avoir de fausses, comme celles qui lui avaient été faites antérieurement. L'hon. M. DORION a été consistant jusqu'au bout dans sa conduite avec MGR. TACHÉ. Lorsqu'il était du Gouvernement il fut fait une motion qui a permis de mettre devant cette Chambre la preuve obtenue sur les troubles du Nord Ouest et tous les incidents de cette malheureuse affaire.

Sa réponse à MGR. TACHÉ, "the matter is progressing favorably but slowly," montre son système judicieux et sa sincérité. Il fallait que le temps produisit son effet, car les passions étaient surexcitées ; l'excitation était encore grande. Il fallait calmer, éclairer ; il fallait surtout attendre que l'enquête fût terminée et que le rapport qui nous a convaincus que des promesses, avaient été faites, fût soumis à cette hon. Chambre. Voilà ce qui a été fait sous l'hon. M. DORION.

Le rapport fut ensuite envoyé au Gouvernement Impérial, dont il a eu l'effet de provoquer l'opinion. Ce fut encore un grand pas de fait. Malheureusement les détails de l'exécution de SCOTT, qui expliquent le ton sévère des dépêches, vint raviver les vielles difficultés et en susciter de nouvelles.

Dans une question de cette nature nous devions nous mettre en communication avec le Gouvernement Impérial, comme la dernière administration l'avait fait elle-même du reste, avec un résultat moins favorable à RIEL et LÉPINE que celui que nous avons obtenu. Nous avons adopté cette ligne de conduite, et, aidé par le rapport, nous avons été plus heureux que la dernière administration, car nous sommes en lieu d'obtenir une amnistie entière, à l'exception de MM. RIEL et LÉPINE, dont la peine est le bannissement pour cinq années. Nous adoptons la politique la plus sage, car c'est la seule pratique et de nature à pacifier le pays.

Dans son remarquable discours, le député de Kingston a trouvé cette position contraire à la constitution et même à l'usage. L'hon. Député n'est pas plus exact dans ses prétentions constitutionnelles sur cette question qu'il n'a été vrai dans ses dénégations. Comment l'hon. député de Kingston, qui était en Chambre en 1844, pouvait-il ignorer ce qui était passé en parlement à cette époque ? Croit-il que nous avons oublié les faits de notre histoire et ce que le Parlement Canadien a tenté pour les exilés de 1837-38 ? SIR JOHN n'était-il pas en chambre, lorsqu'en 1856 une résolution analogue à celle-ci fut proposée pour obtenir le pardon d'O'BRIEN, qui subissait sa peine pour avoir participé aux troubles politiques de son pays ? Il est inconcevable que le député de Kingston ait osé critiquer la constitutionnalité de cette résolution après des précédents comme ceux-là.

Mais la question se présente : par quelle issue sortir de la situation faite au pays par les troubles du Nord-Ouest et l'action de la dernière administration ? Deux solutions sont présentées ; l'une par laquelle nos adversaires veulent laisser le Nord-Ouest dans une misérable condition de trouble et de fermentation, LÉPINE en prison et RIEL errant, et dans la situation pénible et dangereuse dans laquelle il se trouve. C'est bien le cas pour RIEL de dire : " Sauvez moi de mes amis." L'autre solution consiste à déterminer le pardon et la peine à subir afin de faire cesser les embarras, les dangers, les troubles, et les misères. C'est la solution qu'offre le Gouvernement. N'est-il pas peu généreux de la part de certains membres, de vouloir rencontrer la Résolution qui doit nous faire parvenir à ces heureux résultats, par un vote de non-confiance dans le Gouvernement sous la forme d'une prétendue demande d'amnistie entière et complète ?

Mais de quelle manière l'hon. député de Terrebonne croit-il donc pouvoir parvenir à son but, lorsqu'il est certain qu'il n'aura pas un dixième des votes de cette Chambre en faveur de sa proposition ? Est-ce par un tel procédé qu'il assure aux Métis, ses protégés qu'il protége si mal, les grâces impériales qu'il se dit si soucieux d'obtenir ? Certainement non.

Mais on a menacé les députés de la Province de Québec de les dénoncer s'ils ne votent pas pour l'amnistie complète. Certes, M. l'ORATEUR, j'ai trop confiance dans l'intelligence et le jugement des électeurs de la Province de Québec pour penser un instant qu'ils ne comprendront pas les raisons sur lesquelles s'appuie le Gouvernement pour demander l'amnistie telle qu'il la demande ; et je suis certain que lorsque l'opinion sera éclairée, le peuple de ce pays témoignera à son Gouvernement la reconnaissance la plus vive pour avoir eu la sagesse et le courage de prendre cette difficile question en sa sincère considération et de proposer une solution basée sur les vues du Gouvernement Impérial, aussi bien que sur les intérêts et les sentiments des populations de la Puissance.

M. MASSON (Terrebonne) demande à l'hon. M. FOURNIER si M. NAULT, actuellement en prison à Manitoba, sous accusation d'avoir pris part à l'exécution de SCOTT, est compris dans l'amnistie ?

L'Hon. M. FOURNIER répond qu'il est vraiment surpris qu'un pareil membre pose une sembable question. Le député de Terrebonne n'a qu'à référer à la Résolution qu'il devrait mieux connaître et surtout mieux interpréter, pour se convaincre que personne n'est exclu de l'amnistie, excepté M. RIEL et M. LÉPINE.

M. MASSON : La raison pour laquelle je pose cette question, c'est que Lord CARNARVON dit dans sa dépêche que l'amnistie ne peut-être accordée à ceux qui ont participé " au meutre" de SCOTT.

M. LAURIER (Arthabaska.)—Si l'hon. membre pour Terrebonne veut me permetere de l'interrompre, je lui ferai observer qu'il a l'air de vouloir suggérer que M. NAULT soit exclu de l'amnistie.

M. MASSON : Le député d'Arthabaska sait que je ne veux pas de mal à M. NAULT, et l'hon. membre devrait s'unir à nous pour

que MM. RIEL et LÉPINE reçoivent le même traitement que M. NAULT.

L'hon. M. CAUCHON.—La logique de l'opposition me fait passablement l'effet de *boxer* le compas, pour me servir d'une expression anglaise : elle frappe de tous côtés mais surtout sur les éléments variés de l'opposition. Le député de Terrebonne possède plutôt la puissance des poumons que celle de la logique. Je regrette de ne pouvoir crier aussi fort que lui pour prouver que j'ai raison.

La logique, M. l'ORATEUR, est dans le sens des mots, et le mot *général* de la dépêche veut dire *absolu*. Trève donc de questions hyperboliques. NAULT a été pardonné, et il le restera, malgré la malencontreuse intervention du député de Terrebonne.

Nous sommes, M. l'ORATEUR, dans une position difficile, compromettante et embarrassante. Deux courants également agités et bouillonnants se précipitent en sens inverse au sujet de cette question.

Mais nous avons aussi des faits sur lesquels nous pouvons nous appuyer pour règler les difficultés que l'administration dernière à causées par quatre ans de maladministration, de malhonêteté et de trahison des intérêts du pays dans cette malheureuse affaire. Pourquoi le député de Terrebonne ne demande-t-il pas compte au député de Kington de son système de mensonges politiques et de déceptions indignes d'un homme d'état ? Ne se rappelle-t-on pas que le député de Kingston a arraché l'Archévêque TACHÉ à ses devoirs au Vatican, au moyen d'une dépêche si décevante que Mgr. TACHÉ en fût mis sur ses gardes et ne voulut venir que sur une nouvelle dépêche, établissant plus exactement sa position.

C'est alors, M. l'ORATEUR, que la dernière administration remit une verge de fer à l'hon. M. MCDOUGALL, un homme qui ne connait ni la loi ni les conditions particulières du pays, pour aller faire rentrer dans l'obéissance la population des Métis, pour laquelle la dernière administration n'avait ni égards, ni sympathies, ni considération.

Ouvrez le livre bleu et vous y verrez les dépêches et les lettres sur l'amnistie, et vous y verrez aussi la preuve de la plus monstrueuse politique qui ait encore disgracié les annales pays.

La solution se présentait entre les deux cornes externes de ce dilemne : ou la politique du laisser-faire devait être adoptée, ou bien on devait avoir le courage de suivre une politique qui mît fin à une situation si difficile et si embarrassante. La première position a été prise par la dernière administration, et elle a péri comme toutes les choses qui n'ont aucune valeur. L'autre, adoptée par le ministère actuel, nous amène une solution raisonable et la seule possible sous les circonstances.

Et maintenant nous allons voir l'ange de clémence (le député de Bagot) et l'ange de vengeance (le député de North Hastings) voter ensemble. Quel spectacle moral, édifiant ! Singulier rôle pour un ange de clémence d'exposer la paix et le bien-être de vingt familles !

Nous ne sommes pas des anges, nous ; mais nous avons la satisfaction de nous opposer à cette sorte de douteuse clémence, et en face de la dépêche de lord CARNARVON qui fait deux exceptions, nous prenons ce qu'il nous accorde, quitte à obtenir plus tard ce qu'il nous refuse. Nous voulons que ce soit le plus petit nombre qui souffre, puisque dans notre position il faut que malgré nous, quelqu'un souffre. La politique de tout ou rien, n'est pas la bonne politique. " Half a loaf," dit l'Anglais avec raison, vant mieux que pas de pain du tout.

L'agitation qui a été faite par les conservateurs, n'avait que des fins politiques en vue et l'amendment de M. MOUSSEAU n'a en vue que de faire du capital politique pour les élections locales prochaines. Qu'est-ce que cela fait à ces Messieurs que par leur conduite, LÉPINE souffre l'emprisonement et sa famille et lui-même la misère ; et que RIEL soit banni toute sa vie et sa famille réduite à la dernière pauvreté, et que tous ceux qui sont accusés d'avoir pris part à l'exécution de SCOTT subissent leur procès, et soient voués à la vengence de la justice, condamnés à la même peine que LÉPINE, et réduits à la misère eux aussi : oui, qu'est-ce que cela leur fait pourvu qu'ils fassent du capital politique ? Mais est-ce là une conduite bien patriotique, M. l'ORATEUR ? Est-ce pour cela que nous sommes ici ? Non, nous sommes ici pour régler les grandes questions politiques, quelles qu'elles soient. Si nous avons l'intelligence et le courage de la position, nous saurons la déterminer selon la justice, l'équité et la possibilité des choses, comme faisaient BALDWIN et LAFONTAINE, mes maîtres en politique et mes

amis personnels de leur vivant, savaient le faire. Mais nos adversaires disent : "nous aurons tout, ou tous seront punis." Il nous a fallu du temps pour laisser l'appaisement se faire et créer une position logique, rationnelle, juste, et quand nous faisons tout ce qui est possible pour la paix et le bien-être du pays, il est du devoir du peuple de nous soutenir. Je n'ai jamais eu peur de la discussion car le peuple finit toujours par prendre le bon côté des choses.

J'ai voté l'année dernière avec le député de Bagot afin de ne le pas laisser dans une minorité humiliante, et je l'ai dit alors dans cette Chambre. La position rationnelle était de faire une enquête. Les faits ont été établis, et, malgré les dénégations des principaux acteurs dans ce drame ou ce jeu, nous connaissons la vérité. La dernière administration n'a-t-elle pas reconnu que cette question ressort du Gouvernement Impérial ? Et, bien oui ! et maintenant que les autorités impériales nous disent qu'elles ne peuvent nous accorder l'amnistie complète, pouvons, nous faire plus ? Il peut convenir à ceux qui ne pensent qu'à la logique, de vouloir l'amnistie complète et absolue ; mais ceux qui préfèrent amener la paix, l'harmonie, le bien-être dans le pays, acceptent l'amnistie tel que présentée plutôt que de n'en pas avoir du tout. Quant aux membres qui ne croyaient pas que l'amnistie avait été accordée, c'est à eux de voir si devant la preuve qui a été faite, ils peuvent hésiter à voter pour la pleine et entière amnistie, ajourd'hui qu'un mur formidable s'élève devant nos volontés. Bientôt les craintes disparaîtront, la confiance renaîtra et le temps, ce médecin de toutes les choses du passé, nous permettra de demander et d'obtenir le reste.

Aujourd'hui il y a un homme en prison, un autre à l'étranger, et trente qui attendent leur sort. N'est-il pas important de donner à LÉPINE ses droits politiques, à une époque à venir ? N'est-il pas important pour RIEL de voir déterminer la durée de son bannissement ? Devons-nous exposer de braves gens à monter sur l'échafaud, car on ne sait pas ce que le bras de la vengeance peut faire ? Sauvons ceux qui sont en danger de périr, ceux qui s'en vont reviendront bientôt, prenons tout ce que nous pouvons avoir, et plus tard nous aurons le reste. Si nous réveillons les sentiments, les passions et les vengeances, on ne sait ce qui arrivera, mais si l'appaisement se fait nous les verrons revenir avec bonheur. Nous avons affaire à un sentiment contraire, et nos collègues d'origine différente ont aussi des électeurs et sont obligés de faire des sacrifices considérables pour ne pas se perdre. Nous leur devons de la reconnaissance, nous devons faire la moitié du chemin. Nous ne devons pas faire comme la dernière administration, qui a tenu les Métis dans l'inquiétude, par ses déceptions. Nous venons franchement dire ce que nous voulons. Du reste la barrière est là. Voulez-vous voter contre la proposition d'amnistie et contre les hommes qui ont le courage de la présenter, ou voulez-vous voter pour des hommes qui promettaient le oui et le non, qui ne faisaient de promesses que pour y manquer, qui ôtaient le caractère à tout le monde, disant qu'un tel ne savait ce qu'il disait, qu'un autre était un charmant garçon, mais qu'on ne devait s'occuper de ce qu'il faisait, et qui, en un mot, se sont montrés ni sérieux ni honnêtes dans leur politique du Nord-Ouest ! Je le répète en terminant : prenons ce que nous pouvons avoir aujourd'hui et demain nous prendrons le reste.

M. OUIMET (Laval) dit qu'il désire expliquer le vote qu'il va donner pour l'amendement et contre la motion principale. Le petit bataillon auquel il appartient a augmenté considérablement depuis l'année dernière, et c'est grâce à ce bataillon si un grand pas a été fait. Nous demandions l'amnistie complète et on nous la refusait tout-à-fait. Maintenant on nous l'accorde aux trois quarts, et nous l'aurons bientôt complètement. Nous nous appuyons sur le fait qu'il y a eu un Gouvernement "de facto," une promesse d'amnistie complète et l'acceptation du service militaire de RIEL et autres. Si l'année prochaine, le Gouvernement propose, dans sa marche progressive, l'amnistie complète, je serai heureux d'être des siens. Je profiterai de la circonstance pour remercier le député de South Bruce, et l'hon. Premier, du grand changement qui s'est opéré en eux depuis l'année dernière, à tel point que ce qui était blanc l'année dernière est devenu noir, et " vice-versa."

Je voterai pour l'amendement ; on le perdra, je n'en doute pas, et je n'en suis pas fâché. J'entends crier " hear ! hear !" ce sera à mon tour de crier " hear ! hear !" l'année prochaine. Je voterai contre la résolution du Gouvernement ; elle sera

emportée par une grande majorité, je n'en doute pas, et j'en suis content ; mais je serai encore plus content l'année prochaine. Quand on a posé un principe on doit en accepter les conséquences. Par conséquent les prémisses étant posées dans la résolution on devrait conclure à l'amnistie complète. Comment peut-on reconnaître le Gouvernement " de facto" et prétendre que l'exécution de SCOTT était un crime et non un acte politique ? Surtout si l'on dit que l'honneur de la couronne est engagé, on doit, à plus forte raison, donner l'amnistie complète. On nous offre une demi - mesure, je ne puis l'accepter. On nous demande de voter l'exile de RIEL et LÉPINE, nous n'avons pas les intérêts du Gouvernement en main, et nous lui en laissons la responsibilité. Le député d'Arthabaska nous dit que nous devons accepter la plus grande somme de bien qui nous est offerte, et que, par conséquent, RIEL n'ait pas le bénéfice de la défense de son pays non plus que des promesses d'amnistie absolue. Le député d'Arthabaska donne aussi pour raison, la déclaration de Lord CARNARVON que rien de plus ne serait accordé. Lord CARNARVON promet moins que cela, il excepte tous les accusés du meurtre de SCOTT, et puisque l'on croit pouvoir obtenir plus que ce qu'il accorde, pourquoi ne pas demander l'amnestie complète ? On a déjà réussi à amender le sentiment impérial depuis l'année dernière, eh bien, pourquoi ne pas aller jusqu'au bout ? Lord CARNARVON est déjà revenu sur ses pas et sa décision n'est pas irrévocable. L'hon. député de Québec Centre considère Lord CARNARVON comme l'autorité suprême, et le député d'Arthabaska veut nous démontrer qu'il soutient le Gouvernement libéral avec les principes conservateurs. Dans un pays constitutionnel les passions cèdent vite, et lorsque l'appaisement dont a parlé le député de Québec Centre sera arrivé, le petit bataillion ne sera pas débandé, nous serons ici et nous demanderons que RIEL soit rappelé, et que l'amnistie soit complète. Nous ne disputons pas seulement la vie de RIEL et de LEPINE. Nous nous plaçons sur un terrain encore plus sérieux—c'est celui de l'influence de la population métisse, anéantie par la privation des services de RIEL et de LÉPINE. C'est par la terreur que l'on domine aujourd'hui sur la population du Nord-Ouest, et si l'on veut la paix, et l'exercice des droits de ce peuple, il faut leur accorder l'amnistie complète.

Mr. WRIGHT (Pontiac) referring to the statement that in view of the expressions contained in the despatch of Lord CARNARVON, there would be no use in asking for a complete amnesty, said he saw nothing in the despatch which precluded the possibility of a complete amnesty being granted; but if there was any force in the argument it applied equally to the resolutions before the House. If it be wrong to ask for a full amnesty for RIEL in defiance of the expressions used by Lord CARNARVON in his despatch, it was equally wrong to ask for other things which were equally in express terms refused by the same authority. He was free to confess that he would support neither the amendment nor the resolutions. Some would vote against the resolutions because they did not go far enough, others because they went too far, and others because they were unconstitutional. The position he took was that the killing of SCOTT was not a political crime, and he would therefore oppose its being condoned, while he was in favour of granting a complete amnesty to all mere political offenders, because he believed that under the circumstances the Metis were perfectly justified in standing up for their rights of property, and perhaps their personal liberty. He was almost singular in his Province in the position he took on this question. He knew that the majority of the people in that Province regarded these men as almost heroes, who had acted with justice and patriotism, and were strongly in favour of an amnesty being granted to them. He knew that such a feeling existed, and he thought the resolutions would not be satisfactory to Quebec or to Ontario either and that it would have been more manly if the Government had faced the question directly. There was a strong feeling throughout the country that this question should be settled once for all, and the passage of these resolutions would not settle the question. The hon. member for Laval had told the House that small as the band was that now took a stand for complete amnesty, they would fight that question year after year, and they believed they would in the end compel the Government to grant such an amnesty. He for one would not be disposed to do that. He was one who thought that the majesty of the law should be vindicated in the first place, and that after the law had had its course then, if necessary, the pardoning

power could be exercised. He looked upon these resolutions as a mere compromise. He wished to call attention to the peculiar manner in which the commutation of LEPINE's sentence had been published to the country. Just before the Local Elections a good many rumours were afloat in Ottawa about the granting of an amnesty, and the commutation of LEPINE's sentence, and naturally people looked with some anxiety to the appearance of the Official Gazette to see what was done. Strange to say, the Gazette did not appear on the Saturday, the day it usually appeared, though it was said, he did not know with what truth, that a few copies had been issued and recalled. On the following Monday the local elections took place, and on the day after the Gazette appeared containing the announcement of the commutation of LEPINE's sentence. Now, if there had been a desire on the part of the Government of the day correctly to ascertain the feelings of a large and important part of the Dominion—a portion of it which gave them their largest support and following in this House—in the best and almost the only way, they would have issued and circulated the Canada Gazette on the Saturday as usual, and not on the following Wednesday. He would not discuss the question whether the two Governments were connected, but would merely mention the fact that by another strange concatenation of circumstances they found in another important constituency in Ontario the elections for the Legislature and this Parliament so fixed as to come off on one and the same day. Whether this was done by intent or accident, he would leave it to the hon. gentlemen to say.

Mr. FRECHETTE did not rise to speak at any length, as the matter had been ably and thoroughly discussed on both sides on this and on former occasions, in this House, but he could not refrain from expressing his surprise at the strange, extraordinary, and unprecedented difference of opinions expressed by hon. gentlemen in this debate on the other side of the House who opposed the resolutions of the Ministry. The fact was, they all agreed to disagree; they were unanimous to differ. They all differed between themselves, and the hon. Leader of the Opposition differed from them all, and yet they seemed to be disposed to come to the same conclusion and to vote, as they always did, according to their touching sympathy and unanimity. This they were obliged to do to be consistent with themselves. The angels of vengeance would have to vote in such a way to be consistent in their ideas of severity, and the angels of mercy in the same way in order to be consistent in their ideas of mercy, and, at the same time the hon. Leader of the Opposition would have to vote in the same way to be consistent in his traditional opposition to the Government. It would be a singular spectacle to see in the papers to-morrow morning the names of the hon. member for North Hastings and the name of the hon. member for Terrebonne alongside of each other in the vote on the amnesty question. He did not know whether it would be more surprising than to see the member for North Hastings vote with the hon. member for Kingston who gave one thousand dollars to enable RIEL to escape the law; or the hon. member for Terrebonne voting with the hon. member for Kingston, who declared he had never promised an amnesty to RIEL or any of the North-West offenders. He (M. FRECHETTE) was indeed surprised to hear the hon. member for Bagot saying that he considered it an insult to all the people belonging to the same creed as RIEL to hear Lord CARNARVON calling him a murderer. Now as far as he (M. FRECHETTE) was concerned, he belonged to the Roman Catholic creed, but he did not pretend to share the responsibility of all those who were implicated in the so-called murder of SCOTT. If he were in a jury box, he would not inquire the religion of a prisoner, but whether he was guilty or not. He was in favor of amnesty, but not because he was a Catholic and a French Canadian, but because he thought it was the only proper way to maintain peace and harmony among all the portions of our mixed community. On that ground he would be in favor of a complete amnesty, but as it had been indicated in the most emphatic way that such a thing could not be obtained, he was in favor of a partial amnesty, as proposed by the present Ministry. He was not prepared to fight against the British flag or sever the colonial tie just on that question. This was not the course that could be taken by loyal subjects. As far as the present constitutional law bound the country, they

had to submit to it. He would vote against the amendment, because he did not think it a proper course to obtain what they always desired, and he would vote for the partial amnesty proposed by the present Government.

Mr. DE COSMOS wanted to offer a few words of explanation as to why he should cast his vote in favour of the resolutions moved by the First Minister. He was one of twenty-seven members who one year ago voted in favor of a complete amnesty for all those who were concerned in the North West troubles some few years ago. He was still prepared to vote for a complete amnesty, if he believed that it could be carried at the present time. But so far as he could gather from the opinions of members no such vote could be carried in the House, nor would it be at the present time endorsed by the country. He, therefore, reserved his right in case this question should be brought forward during a future session to vote with those who might be willing to move a resolution for a complete amnesty to those whom it was now proposed to banish. With respect to the amendment proposed by the member for Bagot, the first portion alluded to the act of the Cabinet in not recommending HIS EXCELLENCY to grant a full and complete pardon to LEPINE. He (Mr. DECOSMOS) was at one with the mover in that particular. He did not believe in any office in this country who was independent of the people who created that Ministry; and when the time should come when Parliament and the country should act upon this principle involved in the statement of the member for Bagot, he would be found on the side of those who would maintain that no GOVERNOR-GENERAL could act unless by and with the consent of his constitutional advisers. He reserved his action on this point to some future period. He advised the friends of RIEL, and those implicated in the North-West troubles, that the true policy for them to adopt was to see how much they could do to relieve those men of the disability under which they labored.

M. DESJARDINS. Avant de donner mon vote je veux faire voir que les prémises posées par le Gouvernement justifient la position que nous avons prise. L'enquête a établi que cette position était la plus juste et la plus vraie. Je félicite le Gouvernement sur les prémisses de ses résolutions. Je le félicite aussi d'assumer la responsabilité d'une politique distincte et si je ne puis voter pour cette résolution je n'en félicite pas moins le Gouvernement d'être entré dans cette phase. Elle justifie la position que j'ai prise depuis quatre ans. Je dirai pourquoi je ne puis voter pour la résolution du Gouvernement. Si l'amnistie a été accordée à la population métisse c'est grâce à ceux qui en sont exclus. Et ce sont ceux là même qui ont mérité l'amnistie par la défense du territoire et qui doivent l'avoir par le droit des gens, qui sont privés du bénéfice de leurs actes ! Je ne puis admettre une pareille proposition, et malgré le regret que j'éprouve, malgré la répulsion que je ressens de me joindre à nos ennemis acharnés, je suis obligé par cette politique mitigée du Gouvernement d'accepter la position qu'elle me fait.

Dr. ST. JEAN (Ottawa) Je n'avais pas l'intention de prendre la parole, mais comme canadien-français habitant le Haut Canada, je dois expliquer mon vote en comparant la position de l'année dernière et celle de cette année. M. l'ORATEUR, ces messieurs de l'autre côté de la Chambre remercient le Gouvernement pour ce qu'il a fait, et, cependant, ils votent contre ! Le député de Terrebonne a voulu nous faire croire à son patriotisme, et c'est lui cependant qui a fait faire, l'année dernière, à RIEL un pélérinage si dangereux. Ces messieurs veulent tout ou rien. Quant à lui, il remercie le Gouvernement d'adopter les mesures nécessaires à la pacification du pays. Le député de Bagot a combattu, malgré lui, le député de Kingston. L'opposition lui fait l'effect de deux personnes tenant une corde et tirant chacune son bout pour les amener ensemble au moment du vote. L'année dernière l'amnistie était prématurée. Cette année c'est la barrière de lord CARNARVON qui nous arrête. Mais je suis heureux que le paati libéral ait trouvé le moyen de régler la question d'amnistie et ce n'est que par inconsistance et par esprit de parti, et pour faire de capital politique, que le député de Terrebonne et ses amis refusent de se rallier à ce mouvement sage et patriotique en disant que les résolutions n'accordaient pas assez. On ne peut obtenir plus, et c'est la meilleure raison d'accepter ce qui nous est offert.

Mr. PICARD said he intended to vote against the amendment, and support the

resolutions of the Government, because he wished to see this irritating question settled, and he was glad the Government had faced the difficulty and proposed a mode of settlement. He did not fully endorse everything that was said in the resolutions, but he believed that it was perhaps the best settlement that could be effected, and he would therefore vote for it.

M. GAUDET dit qu'il n'est pas défendu de prier et de demander l'amnistie entière. Il reproche au Gouvernement d'avoir retardé l'envoi des documents de commutation. Il se réserve, en votant contre la résolution, le droit de demander une amnistie complète à une prochaine session. Les hommes du passé ont fait des fautes, mais leur successeurs peuvent en faire aussi. Il désire cette année comme l'année dernière, l'amnistie complète, et il votera pour l'amendement.

Mr. MACKENZIE (West Montreal) said he desired to explain the reasons for the vote he intended to give in view of the pledge he had given to his constituents in regard to this subject. He had decided to vote for the resolutions, and he held that in doing so he would not break the pledge which he had given. He would not discuss the transactions connected with the North-West troubles, but he would advert to one fact—a fact which was disclosed after he had given the pledge he had referred to—and that was that the British Government positively refused to entertain for a moment the idea of a complete amnesty. If therefore we wished to obtain a settlement of this question, we must abandon ohe idea of an unlimited amnesty. That was forced upon them by the despatch of Lord CARNARVON. Then we were brought face to face with this difficulty. Ontario, to a great extent, held one opinion on the subject and Quebec another, and England refused to intervene between them. What were we to do? Did the hon. members for Bagot and Terrebonne propose to take up arms against the Mother Country? He (Mr. MACKENZIE) held that the only course now open to those who had taken the position he had taken was to support the proposition for a conditional amnesty, as the best settlement of a very vexed question. It was of vital importance to the future welfare of this country that the matter should be settled, and he appealed to members on both sides of the House to settle it to-night by their votes. To quote the language of the member for Drummond and Arthabaska, the chasm which was open between Ontario and Quebec would be closed to-night by the united efforts of all men who love their country and desire its highest interests. The wound which had so long been open could be healed to-night by their action, and he appealed to all men in the House, irrespective of what Province they came from, irrespective of their religion or their nationality, irrespective of party claims or prejudices, to do that which would remove from this country this cause of discord, and restore that harmony which should exist between the various Provinces of this Dominion. Unfortunately the trouble in the North-West had come to be a question between Ontario and Quebec, and to speak roughly ,but still perhaps truly, a question between the French and English people of this country. Such a condition of affairs was much to be deplored, and should be remedied at the earliest possible moment. Any feeling of animosity which existed between the English and French speaking people of this country should have been buried in the graves of those rival heroes, MONTCALM and WOLFE. They were buried, but they were unhappily revived by events to which he need not now refer. Again they had subsided, but unfortunately had been aroused to a higher pitch than ever by these troubles in the North-West and the negotiations and complications growing out of them. Petty as the events in the North-West seemed at first, they had assumed proportions which threatened the peace of the whole country. Surely it behoved everyone who sought the future welfare of this country to remove this cause of discord from our midst, so that, as in the Mother Land, Saxon and Norman, Celt and Dane, had been welded into one great nation, so we here in Canada might in the future cease to be divided into Provinces and become a united nationality, making of our country the brightest jewel in the crown of HER MAJESTY and the most prosperous and happy country on the continent.

M. COUPAL dit qu'en votant pour l'amendement il ne donne pas un vote de vengeance, parceque le Gouvernement a opposé sa candidature. S'il vote ainsi c'est parcequ'il a fait à ces électeurs la promesse formelle de voter pour l'amnistie entière.

J'ai confiance dans le Gouvernement, et si l'amendement n'est pas emporté je voterai pour la résolution.

Hon. Mr. POPE said that after the sudden conversion of the hon. gentleman from Montreal West and the remarks of gentlemen opposite, he could not give a silent vote on this question. He should be delighted if the prediction of his hon. friend from Montreal West, should be fulfilled, and that the passage of these resolutions would be a final settlement of the question, but he did not believe that it would. There was no guarantee that next session the question would not again be brought before the House and the agitation continued, and therefore the excuse which the hon. gentleman from Montreal West gave for breaking the express pledge he gave to his constituents was of no avail. Referring to the position of the Government on this question, he said there seemed to be a readiness on their part to yield to the dictates of a Minister in a foreign land—to yield to the express wishes of a Minister in the British Cabinet. It was really refreshing to find gentlemen opposite quite ready to accept the dictates of Lord CARNARVON upon this question. His hon. friend from Drummond and Arthabaska said he would vote for the resolutions because Lord CARNARVON declared that a complete amnesty could not be granted; but was his hon. friend honest in the conclusions he drew from Lord CARNARVON's despatch? Did not Lord CARNARVON state in distinct terms that RIEL never should be allowed to exercise political rights in this country. His hon. friend either went too far or did not go far enough. If Lord CARNARVON's despatch was to be conclusive then a greater punishment should be inflicted on RIEL than the one now proposed; while if His Lordship's despatch was to be disregarded to the extent of giving RIEL more favourable terms than His Lordship considered right, it might be disregarded still further. I was evident that his hon. friend was actuated by some other motive than a desire to please Lord CARNARVON. It was proposed by the resolutions to banish the leaders in the North West troubles from the country for the next five years. What object would be obtained thereby? Was it supposed that allowing these men to remain in the country free and unfettered would cause a rebellion? Or was it supposed that some other body of people were about to rebel, because those men were not punished for their misdeeds? If such were not the case then away with that nonsense contained in the resolutions that the men must be punished. He was in favor of a full and complete pardon being granted them, so that they might remain citizens of the country, and when he expressed that opinion he felt satisfied that it was the one held by a large majority of the people. It was said that if we cannot get the whole loaf it was better to take one half. But he believed that we should endeavor to give all the freedom we can to those men. There was no reason why they should be persecuted if the country would gain nothing thereby. He trusted the Premier would see his way clear to accept the amendment.

Mr. CURRIER desired to explain briefly his reasons for the vote which he intended to give. The reason given by the First Minister for introducing a series of resolutions, namely: that the time had arrived when this great difficulty should if possible be removed, was a sound one. The House was, no doubt, convinced that the time had arrived when the question should be settled at the earliest possible moment. If he thought the adoption of the resolutions would finally settle the question he would certainly be inclined to vote for them. But he was not of that opinion. The member for Terrebonne would not allow the subject to drop, and every session the question would be brought before the House; therefore the adoption of the resolutions would prove no settlement of the difficulty. He would support the amendment, for he believed that a complete and full amnesty would prove the only solution of that difficult question.

Mr. SCRIVER desired to reply to what he conceived to be a very broad and unwarrantable assertion made by the member for Terrebonne, namely, that he had not only the support of the French Canadian population, but also the whole British population.

Mr. MASSON—I did not make that assertion.

Mr. SCRIVER—My friend suggests that he used the words "well thinking people." I am sure he spoke of the British people of Lower Canada.

Mr. MASSON—I said I think that the totality of the French and the totality of the English population of Canada are united on this, that the supreme penalty of the law should not be exercised. That is their opinion. That is what I meant to say at all events.

Mr. SCRIVER accepted the disclaimer made by the hon. gentleman; at the same time he felt bound to say, that so far as he knew, the large majority of the English speaking population of Quebec did not sympathize with the extreme views of the hon. member from Terrebonne. They were disposed to make a distinction between the offences committed in Manitoba. While all the British speaking people of the Province of Quebec were quite prepared to condone anything like political offences in Manitoba, they were not prepared to say that those who were guilty of crime, should have that crime condoned altogether, that anything like a complete amnesty should not be granted to those who took part in killing SCOTT. During the last session of Parliament he voted with the majority of this House for the expulsion of RIEL. He still entertained the same views in regard to the crime charged against RIEL, but he believed like many others that the time had come when something should be done to obtain a settlement of the question. A compromise of some kind had become necessary. He was quite prepared to say that he did not accept in its entirety the conclusions which had been reached by those who framed the resolutions. He did not think they were in every respect logical, or that the conclusion reached was a logical deduction from the premises laid down. Nor was he prepared to say that anything like an official promise or engagement on the part of the late Administration was entered into by them, that a complete amnesty should be granted. Looking at the evidence impartially, he had not reached that conclusion. At the same time he was free to admit that Archbishop TACHE supposed that he had power to announce a complete amnesty. Whether the effect of the resolutions, if adopted, would be to settle the question or not, he was not prepared to say; but he had reason to believe that if the resolutions met the views of the majority of the people the policy they endorsed would be accepted by the extremists. Holding those opinions, he was prepared to vote in favor of the resolutions.

Mr. RYMAL said that reference had been made to a motion which he had submitted to the House on a former occasion respecting the murder of SCOTT. At the time he offered that motion he had come to the conclusion that the then Government were trifling with the best interests of this country, and that we were drifting into serious troubles on account of their negligence. The motion which he had moved was, however, voted down, and now the House was called upon to consider the question from an altogether different standpoint. He found by the evidence taken by the North-west Committee that certain promises and pledges had been made to the people of the North-west who were implicated in the troubles through Archbishop TACHE. He was bound to believe that so shrewd a man as the Archbishop was not mistaken in his appreciation of what the Ministers of the day had communicated to him. Cunning as they were and deceitful as they, they were not sufficiently cunning to deceive so shrewd an observer as Archbishop TACHE, and the Archbishop was justified in the conclusions which he drew from the conversations and correspondence he had with the Government. Believing that, he (Mr. RYMAL) held that it was the bounden duty of Parliament to bring about a settlement of this long-vexed question. There was great difference of opinion among the members of this House on the question, particularly among the members of the Opposition. Reference had been made to the Angel of Mercy and the Minister of Vengeance who surrounded the hon. leader of the Opposition. But the hon. member for South Norfolk did not appear to range himself under the former or either of those Angels; he scarcely knew how to classify that hon. member, but he supposed that he must be "the nice little cherub that sits up aloft and watches the fate of poor Jack." However, notwithstanding that difference of opinion upon the manner in which that vexed question should be settled, they were unanimous in their desire to have it settled as speedily as possible in some way or other. For his part he believed that the resolutions submitted by the Government would bring about a settlement of it; at any rate he sincerely hoped they would,

and that no attempt would be made in the future to revive the agitation. If any such attempt should be made to again bring the matter before Parliament after the passage of these resolutions, he would feel it his duty to oppose on every occasion any further treatment of the question. Expatriation for five years was as small a punishment as any one would desire should be meted out to RIEL, and he sincerely hoped that no attempt would be made at a future day to obtain a remission of that slight punishment. It was not with any very great degree of pleasure that he supported the resolutions, holding that it would have been a wiser course to have allowed the ordinary administration of justice to take its course, and those men be brought to trial, and then the royal clemency might possibly have been exercised in their favour; had such been the case he would not have raised any objection, because the attribute of mercy was GOD-like. But in view of all the circumstances connected with this case, he thought that the course proposed by the Government was the wisest that could be adopted, and he appealed to the House to deal with the question, not as partisans, but as lovers of their country, who desire to see this unfortunate and irritating question settled for ever.

Mr. BROOKS said he looked upon this question as not one of party politics. Party ties and relations had nothing to do with the consideration of this subject. If the House really desired to approach the matter in the spirit in which it ought to be approached, they should forget all that had been done in the past and deal with the question as it now stood in the country. He desired to see the sponge passed over all that had been done in the past. For five years the country had been disturbed with this question, and he would be wanting in his duty if he did not approach its settlement with the most ardent desire that we might in the future be relieved from the agitation and heart-burning which had arisen from the unfortunate circumstances connected with this matter. He thought they must be all satisfied from the discussion that had taken place that there was no other possible solution of the matter than by mutual concession. A large portion of the French population took one extreme view, and a very considerable portion of the population of Ontario took another extreme view, and therefore the only practical mode in which they could arrive at any solution was by mutual compromise and concession. He was prepared to vote for anything which reasonably might tend to obtain the object they all desired. He would have been much better pleased if the resolutions had been framed without any reference to the antecedents of this matter. He would have preferred if the bare statement had been made which was contained in one of the paragraphs of the resolutions, namely, "That in the opinion of this House it is not for the honor or interest of Canada that the question of amnesty should remain longer in its present shape." He thought that bare statement would have been sufficient to justify the House passing upon this question, but if any of the facts were to be recited he must frankly say that all should have been recited. But they were there to legislate for a practicable purpose, and not to determine abstract questions of right and wrong; but believing that the resolutions would accomplish the end which they all desired he would vote for them. With regard to the amendment, he had always said that if it was possible to obtain from the Imperial Government an absolute amnesty he would have approved of it. But he took it that when they voted on this question they voted for a purpose, and it was evident that at the present time it would be impossible to obtain a complete amnesty. At the same time while voting against the amendment on this occasion, he would hold himself free to support an absolute amnesty if at any future period it was demanded and he should consider it in the interests of the country to do so. There was a constitutional question raised last night by a gentleman of high authority on such questions (Sir JOHN MACDONALD) which at the time he thought of considerable force. It was with regard to the pardoning power, and he had taken occasion to examine the authorities upon the point. He must say with all deference that he had not come to the same conclusion that the right hon. gentleman had come. The cases cited by Mr. TODD with reference to the exercise of the pardoning power he took to refer to pardon after conviction, which was very different from the case now before the House. The

offence was regarded by some as political and by others as not so, but at any rate it had connected with it such political elements as to justify this House in dealing with the whole question by asking the Imperial Government, under whose control the country was where the offences were committed, to grant some measures of relief to the parties implicated. He spoke thus, not as presuming on a constitutional question to differ from those who had such long parliamentary experience, but he took this practical ground that if it was unconstitutional to send up an Address based upon the resolutions, it was equally unconstitutional to pass an Address based upon the amendment. He would support the resolutions submitted by the Government as he would have supported them had they been submitted by the late Government, because he believed they offered a practical solution of the question. It was the duty of them all to endeavor by mutual concession and conciliation to allay the irritation and excitement which had been aroused in connection with this matter.

M. FISET dit que les explications du Ministre de la Justice l'ont convaincu et qu'il votera pour la résolution, car à l'impossible personne n'est tenue ; et puisque le Gouvernement a tout fait pour trouver une solution modératrice, il doit recevoir l'approbation de la Chambre et du pays. Les députés conservateurs canadiens n'ont trouvé rien à dire contre le chef de l'Opposition ; le député d'Hochelaga a été le seul à le faire, ce dont il le félicite cordialement. La résolution propose plutôt de raccourcir l'exile que de décreter le bannissement.

M. CARON dit qu'il votera contre la résolution parcequ'elle ne donne pas une solution complète des difficultés du Nord-Ouest. Après avoir voté contre l'expulsion de RIEL de la Chambre, il ne peut voter pour son banissement du pays. L'amnistie complète est la seule solution pratique. Il est sur que les mêmes difficultés reviendront l'année prochaine.

Hon. Mr. MACKENZIE said before the question was put he desired to refer to some remarks of the leader of the Opposition. Had the hour been earlier he would have given some attention to certain portions of the hon. gentleman's speech not at all relevant to matters before the House, and in which matters had been introduced not at all in accordance with the facts of the case. He would take another opportunity of referring to them and also to the contrast which the hon. gentleman had drawn between his (Sir JOHN'S) course at present and that of the present Government when they were in Opposition. He would show that the hon. gentleman was entirely wrong in saying that he and his friends were alone instrumental in bringing the North-West Territory into the Dominion, and he would also take occasion to show that, so far from that being the case, it was the work almost exclusively of his (Sir JOHN'S) opponents. After the hon. gentleman's accession to power as chief of the Government that was formed at the time of Confederation he knew right well that he received the best assistance in his (Mr. MACKENZIE'S) power in the acquisition and settlement of that country. The hon. gentleman had not the generosity to admit those services now which he (Mr. MACKENZIE) was able to render to his country more than to him and his party, though at the time the hon. member was willing to acknowledge those services from the seat which he (Mr. MACKENZIE) now occupied. He would not follow the hon. gentleman through all the course of his argument, for two-thirds of it was entirely irrelevant, and he could only conclude, from the great length of the speech, that the hon. member believed, like those of old, that he would be heard for his much speaking. But two or three matters were referred to which he (Mr. MACKENZIE) was bound to say would have a serious effect on this discussion if the hon. member's argument were correct. One was the assumption that the course pursued by the Government was entirely wrong—unconstitutional he believed the hon. gentleman said, though the phrase was used somewhat guardedly. The hon. member was good enough to say that he agreed in the conclusion arrived at by the Government—that they proposed the right thing, but proposed it in the wrong way. Well, he (Mr. MACKENZIE) was prepared to show that it was proposed in precisely the same way as in a former Parliament, and he hoped the hon. gentleman would feel himself relieved of the difficulty of supporting the Government in this matter. He could understand the hon. member's difficulty in the extreme difference of opinion which

prevailed among those who surrounded him, and appreciate the tender manner in which they treated their leader, though he was somewhat surprised that the hon. member for North Hastings should pour out the vials of his wrath on the heads of the Government, instead of upon his own chief. However, that was a matter to be settled among themselves, but it could not fail to produce the impression in this House that the Opposition, like the Irishman who landed at New York and was asked to vote, being ignorant of the politics of the country, but carrying his old country convictions with him, said he was "agin the Government at all events." That seemed to be the only binding principle which prevailed on the other side of the House. The leader of the Opposition said the Government showed something like cowardice by proceeding to move a resolution in the House—that they should themselves have assumed the responsibility and passed an Order in Council carrying out practically the same views embodied in their resolutions. The hon. member for South Bruce had dealt with that matter somewhat last night, but he (Mr. MACKENZIE) had something more to say on the subject. He could assume no higher responsibility than, as head of the Government, bringing down the resolutions which he had submitted to the ordeal of a discussion in this House. After what had passed last session they would not be treating the House with proper respect if they undertook to settle the matter without having a free expression of opinion from the House on the subject. They took the only proper and constitutional manner of doing this by bringing down, as the responsible Ministers of the Crown, a resolution on which they staked their existence as a Government. If the House thought it was wrong, they should vote it wrong and the Government would take the responsibility on their heads. They would not shelter themselves behind an Order-in-Council, passed in secret, but come to the House, and placing their resolution on the table, challenge the House on its reception as such. Now, what had been the course in our own country on former occasions? The hon. member for South Bruce had pointed out that nothing was more common under our system of Parliamentary Government than to pass acts of grace and resolutions having reference to rebellious proceedings, and the hon. member for Kingston, in his argument, could only cite the trial of the Chartist rioters in Wales some years ago, as a parallel case to the insurrection in the North-West. There was no parallel in the case at all. There was no similarity. There was nothing that could be said to approach the position of affairs in the North-West. But during the rebellion in this country it was well known that a very large number of people were sentenced to terms of banishment, others were proclaimed as outlaws and were banished as such from the country, and excluded from the benefits of residence in this country and all the advantages of British subjects in Canada. In 1841, three years after the close of the rebellion, the House of Assembly in its first session passed the following resolution:

"*Resolved*—That it is the opinion of this Committee that an humble address be presented to His Excellency the GOVERNOR-GENERAL, as representing the Crown in this Province, praying the exercise of the Royal prerogative for granting a free pardon, indemnity and oblivion of all crimes, offences and misdemeanours; that the Royal mercy be extended to such of HER MAJESTY'S misguided subjects as may be compatible with the safety of the Crown and this Province, connected with the late unhappy troubles in the late Provinces of Upper and Lower Canada, committed or supposed to have been committed within the last four years."

This resolution was carried by a vote of 40 to 25, and very shortly afterwards the reply of the Governor was presented as follows:—

"In reply to their address of the 30th August, the GOVERNOR-GENERAL assures the House of Assembly that both in the advice he may be called upon to tender to the QUEEN and in the exercise of the prerogative of the Crown, where that power is entrusted to himself, within the colony, it is and will continue to be his anxious desire to treat all cases connected with the late unhappy disturbances with the utmost indulgence which may be compatible with the safety of the Crown and the security of the Province.

"The GOVERNOR-GENERAL will not fail to bring the expression of the wishes of the House of Assembly, as conveyed in this address, under the notice of HER MAJESTY'S Government."

In 1844, on the motion of Mr. LAFONTAINE, seconded by Mr. LESLIE, the following address was carried:—

"*Resolved*, That an humble address be presented to HER MAJESTY praying that she will be graciously pleased to exercise the Royal prerogative by granting to HER MAJESTY'S misguided subjects free pardon, indemnity and oblivion of all crimes, offences and misdemeanors connected with the unhappy troubles refer-

red to in an humble address to this House on the 30th day of August, 1841, on the same subject, and of all attainders and outlawries during the period therein mentioned; most humbly assuring HER MOST GRACIOUS MAJESTY that whenever it may please HER MAJESTY through her representative, and out of her own free will, pleasure and mere motion to transmit a Bill to that effect to the Provincial Assembly, the same will be received with humble gratitude and will tend still more to confirm HER MAJESTY'S faithful subjects in this Province in their affection to their Sovereign, and to strengthen the connection which happily exists between this Province and the parent State."

"*Resolved*, That an humble address be presented to HIS EXCELLENCY the GOVERNOR-GENERAL informing HIS EXCELLENCY that this House hath voted an humble address to HER MAJESTY respecting the extension of the Royal clemency to HER MAJESTY'S misguided subjects for all offences connected with the late unhappy troubles, and humbly praying HIS EXCELLENCY to transmit the said address to HER MAJESTY'S principal Secretary of State for the Colonies, to be laid at the foot of the Throne, and also to recommend the prayer thereof to HER MOST GRACIOUS MAJESTY."

The motion for that Address was carried without dissent, but there was a division immediately preceding this, in which he saw the name of the right hon. member for Kingston,so that he was actually in the House and a consenting party to the resolution, and yet he endeavoured yesterday in his speech to establish that it was entirely unconstitutional to introduce any resolution into Parliament affecting the exercise of the Royal prerogative in pardoning criminals. Nothing could be more constitutional than the manner in which this matter had been brought before Parliament by the Administration. It was in entire harmony with the practice in Great Britain, and in entire harmony with our own custom. He could conceive of nothing more proper, nothing more in keeping with the constitution than the steps taken by the Government in order to obtain a free expression of the opinion of Parliament on a matter so vitally important to the welfare of the country as this subject was. In 1849, a matter very similar to this, and to which he had just referred, was buried in oblivion as was everything connected with it by the passage of an Act of Parliament. The member for Kingston, although not then a member of the Government, had been in an Administration very shortly before, and had risen to a position of prominence as a member of the old Parliament of Canada. With regard to the hon. member for North Hastings, who had said that the Government disagreed with him upon this question because they were hypocrites, he would not make use of similar language in reply, he would not call the hon. gentleman and his friends hypocrites, for he believed that they were acting conscientiously, at least he was bound to suppose that they were. He was surprised at the language used by the hon. members for Terrebonne and Bagot in reference to the judge and jury who tried and sentenced LEPINE. The hon. member for North Hastings had referred to matters in the history of the judge which he deemed discreditable, but which he (Mr. MACKENZIE) knew to be untrue. The name of a judge should never be mentioned in a disrespectful way, under any circumstances, unless, indeed, he had been guilty of some act which made him liable to impeachment. He did not propose now to discuss this question at great length. In opening he had merely referred to points pertinent to the subject in hand, and although he had taken copious notes, he would not depart from that rule. There was one phase of the question, however, which he must notice. His hon. friend from South Bruce and himself had been bitterly assailed because they had offered a reward for the apprehension of the murderer of SCOTT. They were assailed in very savage terms by the member for Hastings, and they were also assailed by the gentlemen who sat behind him, although, of course, for very different reasons. He wished to call the attention of the House to the fact that the vote was carried unanimously in the Ontario Legislature, and the leader of the Opposition only found fault because he thought the amount was not enough. There was not a reference to this in the remarks of the hon. member for Hastings, and he could only revile the Ontario Government of the time.

Mr. BOWELL.—I do not suppose the Premier desires to misrepresent me, yet he does so in this matter. I found no fault with him for the language he used on that occasion, nor yet for his offering the reward. What I did attack him for was because having made that speech and offered that reward, he stultifies himself now by moving the resolutions in the SPEAKER'S hands.

Hon. Mr. MACKENZIE said he had

laid down in his resolutions everything that had led him to take the action he now proposed to do. He did not suppose there was a single member in this House who, after having read the evidence produced before the Committee, could say that the circumstances were not entirely changed. It was not fair; it was disingenuous for the hon. gentleman from North Hastings to state that the circumstances were the same as they were a year ago. The hon. gentleman did not appear to recollect that it had been dragged from the lips of his own leader that he had given RIEL and LEPINE money to induce them to go out of the country. The position the hon. gentleman held in those days was a very humble one indeed in regard to this matter. He (Mr. MACKENZIE) had not been able so far to change his opinion of the transactions of 1869-70; what he asked the House to do was to consider the changed circumstances in which the Government found themselves placed by the necessity there was for disposing of this question finally. He also asked the House to consider the unfairness of the hon. member for North Hastings, who based his argument on a mere assumption that the circumstances had not been changed by the evidence produced before the North-West Committee He was gratified to know that every moderate man in the House, whether a follower of the Government or not, expressed himself in favour of the resolutions, and that there was a general disposition among members from all the Provinces to accept this as a final and reasonable and just settlement of the whole difficulty. He believed that there would be no cause for irritation hereafter, but that the settlement which the House was now about to ratify would be accepted as a final and complete settlement by the House and the country. He rejoiced to know that they now had an opportunity of settling a question which threatened at one time most serious consequences—something like a war of opinion between different races that might have led to serious misunderstandings in future. He had reason to be proud as a Canadian to find that his French-Canadian fellow-countrymen, as well as his English fellow-countrymen, had all manifested the same generous spirit and the same desire to have a settlement of this question, so that the cause of discord and irritation might be removed from our political discussions. He desired in conclusion to say that throughout that whole matter he had endeavored, as he had stated in his opening remarks, and he had no doubt that other gentlemen also, including many members on the Opposition side of the House, had endeavored to give effect to their own honest views. He had no fault to find with any one expressing his honest convictions, however strongly, but he did protest against any one imputing evil motives to him or his colleagues in the discharge of their duty as Ministers of the Crown in this country.

At 1:40 a. m. the members were called in, and the House divided on Mr. MOUSSEAU'S amendment with the following result :—

YEAS :

Messieurs

Baby,	Lanthier,
Bunster,	Masson,
Caron,	McDougall (*Three Riv's*)
Cimon,	Montplaisir,
Coupal,	Mousseau,
Currier,	Ouimet.
Desjardins,	Pinsonneault,
Dugas,	Pope,
Gaudet,	Robitaille,
Gill,	Rouleau,
Harwood,	Wright (*Ottawa*)—23.
Hurteau,	

NAYS :

Messieurs

Appleby,	Laird,
Archibald,	Lajoie,
Aylmer,	Landerkin,
Bain,	Langlois,
Barthe,	Laurier,
Béchard,	Little,
Bertram,	Macdonald (*Cornwall*),
Biggar,	Macdonald (*Glengarry*),
Blackburn,	MacDonnell (*Inverness*),
Blain,	Macdougall (*Elgin*),
Blake,	Mackenzie (*Lambton*),
Bordon,	Mackenzie (*Montreal*),
Borron,	Maclennan,
Bourassa,	MacMillan,
Bowell,	McCallum,
Bowman,	McCraney,
Boyer,	McGregor,
Brooks,	McIntyre,
Brouse,	McIsaac,
Brown,	McKay (*Colchester*),
Buell,	McQuade,
Burk,	Metcalfe,
Burpee (*St. John*),	Mills,
Burpee (*Sunbury*),	Mitchell,
Cameron (*Ontario*),	Monteith,
Carmichael,	Moss,
Cartwright,	Murray,
Casey,	Norris,
Casgrain,	Oliver,

Cauchon,	Orton,
Charlton,	Paterson,
Cheval,	Pelletier,
Church,	Perry,
Cockburn,	Pettes,
Coffin,	Pickard,
Cook,	Platt,
Costigan,	Plumb,
Cunningham,	Pouliot,
Cushing,	Pozer,
Dawson,	Ray,
DeCosmos,	Richard,
Delorme.	Robillard,
De St. Georges,	Rochester,
Devlin,	Roscoe,
Domville,	Ross (*Durham*),
Donahue,	Ross (*Middlesex*],
Dymond,	Ross (*Prince Edward*),
Farrow,	Ryan,
Ferris,	Rymal,
Fiset,	Scatcherd,
Fleming,	Scriver,
Flesher,	Shibley,
Forbes,	Sinclair,
Fournier,	Skinner,
Fréchette,	Smith (*Peel*),
Galbraith,	Smith (*Westmoreland*),
Geoffrion,	Snider,
Gibson,	Stephenson,
Gillies,	Stirton,
Gillmor,	St. Jean,
Gordon,	Taschereau,
Goudge,	Thibaudeau,
Hagar,	Thompson (*Cariboo*),
Haggart,	Thompson (*Haldimand*)
Hall,	Thompson (*Welland*),
Holton,	Tremblay,
Horton,	Trow,
Huntington,	Tupper,
Irving,	Vail,
Jetté,	Wallace (*Albert*),
Jones (*Leeds*),	Wallace (*Norfolk*),
Kerr,	White,
Killam,	Wilkes,
Kirk,	Wood,
Kirkpatrick,	Wright (*Pontiac*),
Laflamme,	Young—152.

The amendment was therefore negatived.

Mr. FARROW rose to move another amendment. He said that in the resolutions of the Premier certain facts were set forth as a basis for granting an amnesty, but all the facts bearing upon the question were not included in the resolutions. He thought the negotiations between Mr. DORION, Mr. LETELLIER and Archbishop TACHE in reference to the granting of an amnesty should have been included in the statement of facts contained in the resolutions, and he therefore moved the following amendment:

That the following paragraphs be added to the resolutions, after the words, "Be loyally accepted by the Canadian people," in the 19th paragraph:—

"That from the same evidence it appears that Bishop TACHE had an interview with Messrs. DORION and LETELLIER, Minister of the Crown in November, 1874, and that they informed him that they were personally in favor of an amnesty.

"That on the 25th November the Hon. Mr. LETELLIER, in his office said to Bishop TACHE, "I think (or I hope) that we shall be able to "give the amnesty to our Lower Canadian "friends as a New Year's gift."

"That on the 30th November, Bishop TACHE saw the Hon. Mr. DORION and the Hon. Mr. LETELLIER, and says—'I was led to believe that they themselves had some guarantees about it (the amnesty). They were not explicit, but I was led to believe it. It was something to the effect that there was an agreement with their colleagues as to the granting of the amnesty. The words as near as I can say were these: "We cannot settle everything. It is so soon "after the formation of the Government. We "have hopes that the thing will be arranged in "a favourable way according to your wishes; "and we see ourselves the necessity of the "amnesty." I remember no further words.

"My impression was so strong, that I asked Mr. DORION in what way he and I could communicate together about the amnesty, after my departure for Manitoba, without its being known. He then wrote in my memorandum book two sentences, which he explained as to what their meaning would be in case we should communicate about the amnesty. I produce the sentences, "Communication received, matter attended to immediately," meant this: "communication received" means "amnesty." "Matter attended to immediately" means "immediate promulgation of the amnesty." Next sentence, "Communication received", (same meaning), "matter under consideration" meaning "that the amnesty was under consideration by the Ottawa Government," "you may expect early decision," meaning its inherent sense as bearing on the secret meaning of the prior part of the sentence. It is was agreed that he would add to the latter sentence the name of the month in which he expected the thing would be settled. The date is marked on the back of this memorandum. It is November 30th. The memorandum was written about the close of our interview of that day, which was my last interview with them. I left Montreal on the 2nd of December. The impression made on my mind was so favorable, that on my arrival I told many people that we had every reason to expect that the new Government would carry out the promise of the old Government."

"That it further appears from the said evidence that the following telegrams passed between the Hon. A. A. DORION, Minister of Justice, and others on his behalf and Archbishop TACHE:

"FORT GARRY, Dec. 24, 1873.

"To the Hon. A. A. DORION, Ottawa:

"Anxious hearing from you. Is communication received. LEPINE bailed yesterday.

(Signed,) ARCHBISHOP TACHE.

"MONTREAL, Dec. 25, 1873.

"To Archbishop TACHE:

"I received the gratifying intelligence con- "tained in your telegram. Matters here are "progressing slowly, but most satisfactorily.

"In a few days I will write result, and about "some important questions.

(Signed,) "A. A. DORION."

"OTTAWA, 2nd January, 1874.

* * * * * * *

"General election immediate. Governor "MORRIS will communicate with you. Of par- "amount importance for friends to comply "with his request. Answer by telegraph.

(Signed,) "J. C. TACHE."

OTTAWA, January 2nd, 1874.

"TO ALEX. MORRIS,

"Fort Garry, Manitoba:

"Will you communicate confidentially to Bishop TACHE that I am particularly desirous in the interest of his people, in order to avoid excitement, that RIEL should not be a candidate.

"(Signed,) A. A. DORION."

"That on the 5th January, 1874, Governor MORRIS telegraphed to the Hon. A. A. DORION, Minister of Justice, that he had seen Archbishop TACHE, and that he (DORION) could 'communicate with RIEL through Father LASCOMB 'at Montreal, who knew where he was.'"

"That Bishop TACHE says: 'I wrote to Father LASCOMB immediately after the com- 'munication with Mr. MORRIS, about the first 'week in January, that very likely the Cana- 'dian Government would open negotiations with 'him about RIEL's election;' and that Father LASCOMB informed Bishop TACHE that Mr. DORION had communicated with him, either directly or through some one else."

The amendment was declared lost on a division.

The House then divided on the resolutions, which were carried on the following division:—

YEAS:

Messieurs

Archibald,	Jetté,
Aylmer,	Kerr,
Bain,	Killam,
Barthe,	Kirk,
Béchard,	Laflamme,
Bertram,	Laird,
Biggar,	Lajoie,
Blackburn,	Landerkin,
Blain,	Langlois,
Blake,	Laurier,
Bordon,	Macdonald (*Cornwall*),
Borron,	Macdonald (*Glengarry*),
Bourassa,	MacDonnell (*Inverness*),
Bowman,	Macdougall (*Elgin*),
Boyer,	Mackenzie (*Lambton*),
Brooks,	Mackenzie (*Montreal*),
Brouse,	Maclennan,
Buell,	McCraney,
Burk,	McGregor,
Burpee (*St. John*),	McIntyre,
Burpee (*Sunbury*),	McIsaac,
Cameron (*Ontario*),	McKay (*Colchester*),
Carmichael,	Metcalfe,
Cartwright,	Mills,
Casey,	Moss,
Casgrain,	Murray,
Cauchon,	Norris,
Charlton,	Oliver,
Cheval,	Paterson,
Church,	Pelletier,
Cockburn,	Perry,
Coffin,	Pettes,
Cook,	Pickard,
Costigan,	Pouliot,
Coupal,	Pozer,
Cunningham,	Ray,
Cushing,	Richard,
Dawson,	Robillard,
DeCosmos,	Roscoe,
Delorme,	Ross (*Durham*),
De St. Georges,	Ross (*Middlesex*),
Devlin,	Rymal,
Donahue,	Scatcherd,
Dymond,	Scriver,
Ferris,	Shibley,
Fiset,	Sinclair,
Fleming,	Skinner,
Forbes,	Smith (*Peel*),
Fournier,	Smith (*Westmoreland*),
Fréchette,	Snider,
Galbraith,	Stirton,
Geoffrion,	St. Jean,
Gibson,	Taschereau,
Gillies,	Thibaudeau,
Gillmor,	Thompson (*Haldimand*),
Gordon,	Thompson (*Welland*),
Goudge,	Tremblay,
Hagar,	Trow,
Hall,	Vail,
Holton,	Wallace (*Albert*),
Horton,	Wilkes,
Huntington,	Wood,
Irving,	Young—126.

NAYS:

Messieurs

Appleby,	McCallum,
Baby,	McDougall (*ThreeRiv's*),
Bowell,	McQuade,
Brown,	Mitchell,
Bunster,	Monteith,
Caron,	Montplaisir,
Cimon,	Mousseau,
Currier,	Orton,
Desjardins,	Ouimet,
Domville,	Pinsonneault,
Dugas,	Platt,
Farrow,	Plumb,
Flesher,	Pope,
Gaudet,	Robitaille,
Gill,	Rochester,
Haggart,	Ross (*Prince Edward*),
Harwood,	Rouleau,
Hurteau,	Ryan,
Jones (*Leeds*),	Stephenson,
Kirkpatrick,	Thompson (*Cariboo*),
Lanthier,	Tupper,
Little,	Wallace (*Norfolk*),
Macdonald (*Kingston*),	White,
McMillan,	Wright (*Ottawa*),
Masson,	Wright (*Pontiac*)—50.

Hon. Mr. MACKENZIE moved that the resolutions be referred to a Select Committee, composed of Messrs. FOUR-

NIER, GEOFFRION, HOLTON, CAUCHON, BLAKE and the mover, to prepare and report the draft of an address to HIS EXCELLENCY the GOVERNOR-GENERAL in conformity with the said resolutions.

Hon. Mr. MACKENZIE from the Committee reported an Address founded on the resolutions.

The Address was read a first and second time and adopted, and ordered to be engrossed.

Hon. Mr. MACKENZIE moved that the address be presented to HIS EXCELLENCY the GOVERNOR-GENERAL by such members of the House as are of the Privy Council. Carried.

JOINT COMMITTEES.

Mr. SPEAKER informed the House that he had received a message from the Senate informing this House that they had appointed certain members to act with members of the House of Commons as Joint Committee on the Library and on Printing.

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at 2.40 a.m.

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HOUSE OF COMMONS,

Monday, February 15th, 1875.

The SPEAKER took the chair at 3.15 p.m.

PROTECTION OF LIFE ON RAILWAYS.

Hon. Mr. MACKENZIE asked leave to introduce a Bill entitled, "An Act for the better protection of persons and property conveyed by railways." This law, he said, embodied the provisions of the several small Bills which were suggested during last session of Parliament. The first section provides that any person employed by any railway company, whether upon any locomotive engine, tender, train or car, or as pointsman, signalman or in any capacity in which by neglect of duty, inattention or error might endanger the safety of human life or property, who shall be drunk or intoxicated while on duty shall be deemed guilty of misdemeanour, and that any railway company knowingly employing or continuing to employ any person in any such capacity as aforesaid, who has been convicted of such misdemeanour or proved to be to the knowledge of the company drunk, intoxicated while on duty, or known to the company to be in the habit of or addicted to the use of intoxicating liquor shall incur a penalty not exceeding two thousand dollars, in the discretion of the Court before which the suit for such penalty is brought, and an additional sum, in the discretion of the Court, for each day during which such employment shall be continued." The reason for making this very stringent enactment rested in the fact that several accidents had occurred through pointsmen or switchmen having opened instead of shutting a switch or shutting it when it should be opened, resulting in very serious loss of life and property. It was conceived that any legislation in this direction that could be practically carried out must be ultimately of great service to the public in the saving of human life. The second section contains the following provisions: "The Governor in Council may from time to time, on the report of the Railway Committee of HER MAJESTY'S Privy Council of Canada, make regulations, First, for obliging the Company owning or working any railway to make on every passenger train run on said railway such arrangements as he may, on the recommendation of the said Committee, deem necessary for establishing an easy, safe communication by the passengers by means of the cars or platforms or stages from car to car through the whole length of such train while it is in motion. Second, for providing that no cars for the conveyance of passengers shall be run on any railway unless the doors of such cars are constructed, hinged and fitted in a manner to be prescribed in such Order, so that they may be easily opened inwards or outwards from the inside or outside of the car; and every such Order in Council shall have the force of law after the expiration of six months from its publication in the Canada *Gazette*, and any company running any car with respect to which any such Order in Council is not complied with, shall incur a penalty in the discretion of the Court before which the suit is brought." A number of lives had been lost on account of the clumsy connections between passenger carriages, some being constructed so as to render it very difficult to pass from one car to another, while there was insufficient protection by ordinary rails. It was deemed proper and

advisable that the platforms of all passenger carriages should be brought so close together as to make it impossible for a human being to fall through, and the sides must be protected by a proper railing. With reference to the provision respecting the doors of carriages, it would be remembered, no doubt, by most members of the House that very serious loss of life occurred last year on the Great Western Railway, near London, the loss of life being almost wholly caused by the door opening only inward. The fire spread rapidly from the front of the carriage. The passengers rushed to the rear. One or two escaped, but the remainder jammed against the door, and only those who had the courage and presence of mind to jump from the windows were saved. Some twelve or fourteen were burned to death. If this provision had been in force no lives would have been lost. The third section provides that "Compliance with the requirements of this Act shall not be construed as exempting any railway company from any obligation to adopt in the construction and working of their railway and for the engines, cars and other appliances thereto, the best plans, devices, arrangements, and provisions for the safety of persons and property conveyed thereby, which may be then acknowledged and in use, or from their responsibility for neglect to adopt the same." When he first proposed this measure it was in amendment to the General Railway Act, but it was thought better to introduce it as an amendment to the criminal law so as to bring all railways under its provisions, whether chartered by the Dominion or local authorities. He moved the first reading of the Bill.

Mr. ROCHESTER suggested the propriety of making provision in the Bill to regulate the speed of trains on leaving the stations. A great many accidents were caused by trains starting off at a rapid speed, and if it was stipulated that the speed of a train running out of a station should not exceed a certain limit until it was past the platform many accidents which now occur would be prevented.

Mr. OLIVER said that several Bills respecting railways were before the Railway Committee last session, and a promise was made by the Government that they would deal with the subject matter of these Bills. He had one Bill before the Committee which he noticed was not treated of in the Bill just introduced. It referred more particularly to the carrying trade of the country, and it would obviate the necessity of his asking a question he had put upon the notice paper, if the Government would now state whether they proposed dealing with that matter. He might state that several of the present Ministers of the Crown, previous to their taking office—particularly the Minister of Marine and Fisheries—had stated to him and to the Committee that the subject was of such great importance that it should not be left in the hands of a private member, but should be dealt with by the Government.

Sir JOHN A. MACDONALD,—I think the hon. gentleman acted very wisely in drawing up this Bill as a branch of the criminal law, because it relates to that branch of the law. I would ask my hon. friend if he intends to refer the Bill to the Railway Committee.

Hon. Mr. MACKENZIE—I think it should go to the Railway Committee.

Sir JOHN A. MACDONALD—Then I will not trouble the House with any remarks upon it at this stage except to say that I think the clause respecting the punishment of persons addicted to the use of liquor, is rather vague, and it would be difficult to obtain a conviction under it. However, if the Bill goes to the Railway Committee we can discuss that point there.

Mr. MILLS observed that it was somewhat singular to propose to send a Bill relating to the Criminal Law to the Railway Committee.

Sir JOHN A. MACDONALD—merely asked the question.

Hon. Mr. MACKENZIE said he thought that as the Bill affected the Railway Companies it should go to the Railway Committee.

Hon. Mr. BLAKE said that although it might be very convenient to make the Bill an amendment to the Criminal Law, the House should remember that this Parliament had no power of declaring crimes in order to bring matters within their jurisdiction which were not properly within their jurisdiction.

Mr. STEPHENSON, in a few remarks, endorsed what had fallen from the hon. member for Carleton, and made mention

of the fact that, greatly in consequence of the rapid movement of the trains from the railway stations in the part of the country he came from, several valuable lives had been lost; and it was only a few days ago that at the Chatham station one life was lost, and two other lives jeopardized, as not a few think from the rapid approach of a train to that station. He therefore hoped that the Government would, in the Bill just introduced, provide some clause whereby the evils complained might be remedied.

Sir JOHN A. MACDONALD observed that one reason why this Bill should go to the Railway Committee was that it interfered with the position of the railway companies, and therefore it would be right that the companies should have an opportunity of being heard before the Railway Committee.

Bill read a first time.

Hon. D. A. MACDONALD introduced a Bill, intituled, "An Act to amend the Act for the regulation of the Postal Service." He stated that it would be more convenient for him to make the explanations upon the Bill when it came up for the second reading, because in the meantime members would have the Bill in their hands, and would be in a position to discuss it. He would therefore postpone any remarks upon it until it came up for the second reading.

Bill read a first time.

PRESERVATION OF THE PEACE IN THE VICINITY OF PUBLIC WORKS.

Hon. Mr. MACKENZIE introduced a Bill intituled, "An Act to amend the Act for the better preservation of the peace in the vicinity of Public Works." He stated that the object of this Bill was simply to extend the authority which the Government now had to prohibit the sale of liquor, and to take other measures for the preservation of public order in the vicinity of Public Works. At present that authority was confined to certain classes of public works, and it was proposed in this Bill to extend it to other classes.

Bill read a first time.

SUITS AGAINST THE CROWN.

Mr. IRVING introduced a Bill intituled "An Act to provide for the Institution of Suits against the Crown by Petition of Right, and respecting Procedure in Crown Suits." He explained that the object of the Bill was to provide means of settling disputes between contractors and the Government by a judicial process, and thus avoid any suspicion of partiality on the part of the Government in the settlement of such disputes.

Bill read a first time.

CONTROVERTED ELECTIONS' ACT.

Mr. COOK introduced a Bill intituled "An Act to amend the Dominion Controverted Elections' Act of 1874." He explained that the object of the Bill was to give the judge trying any election case four days to make his report to the SPEAKER. Under the present Act the Judge was required to report immediately, and he knew of cases where considerable inconvenience had arisen from that omission in the law.

The Bill was read a first time.

EXPULSION OF RIEL.

Hon. Mr. MACKENZIE—Before the House proceeds to the other business of the day I desire to intimate the course that I propose to take with reference to the expulsion of Mr. RIEL, who is at present the member elect for Provencher. On Wednesday the 10th instant the final sentence of outlawry was pronounced in the Court of Queen's Bench in Manitoba, and upon the same day the formal record of the sentence was forwarded to the Secretary of State. I think it is the most convenient method, and one that perhaps will best place upon our Journals the precedent for any future action, to have that formal sentence laid upon the table of this House, and to base upon it the motion for expulsion, precisely as was done in the Imperial Parliament in the case of O'DONOVAN ROSSA. In that case Mr. GLADSTONE first laid the judgment of the court on the table, and then made his motion in accordance with the fact that was established by the judgment, namely, that he had ceased to be qualified to be a member of the House. He hoped that course in the present case would commend itself to the hon. gentlemen opposite and to the House.

Sir JOHN A. MACDONALD—I think the proposition made by the hon. gentleman is the best course to be adopted, and I have no doubt it will meet the

views of all those who think RIEL ought to be expelled.

SANITARY BUREAU.

Mr. BROUSE inquired whether the Government intend establishing a Sanitary Bureau in connection with one of the Public Departments, and if not, do they propose any legislation on the subject during the present session?

Hon. Mr. MACKENZIE said the Government had given a great deal of attention to the whole subject of vital statistics, as well as to general statistis with a view to determine whether they could see their way to introduce a measure of a comprehensive character during this session; but the difficulty of reconciling the local and general powers of the Government had operated so as to place a very serious obstacle in the way of carrying out what he was very desirous of doing. While up to the present time he had not given the matter up, he had been compelled to postpone the introduction of any measure on the subject.

COMMON CARRIERS.

Mr. YOUNG inquired whether the Government have under consideration and propose to lay before Parliament this session, a Bill similar to the Imperial Act in force in Great Britain regulating the rights and defining the liabilities of common carriers by land and water?

Hon. Mr. SMITH said the subject was under the consideration of the Government, and he was not prepared now to give an answer to the question.

RAILWAY CARRYING TRADE.

Mr. OLIVER said he supposed the answer given to his hon. friend from South Waterloo would be the same that would be given to him; but he would, nevertheless, ask whether it is the intention of the Government during this session, to introduce a measure to regulate the Railway Carrying Trade of the Dominion, in accordance with a promise made during the last session of this House?

Hon. Mr. MACKENZIE said his hon. friend from Oxford had been very anxious during the last few years, to introduce a measure establishing a pro rata charge upon railways. He might say that the Government considered it impossible, as it would be unjust, to introduce any measure that would carry that principle out in the sense contemplated by his hon. friend's bill. So they were not prepared to do what the hon. gentleman asked. They would not resist any fair modification of the existing regulations, and, indeed, they had it in their power to enforce uniform charges in a certain sense; but in the sense proposed by the hon. member it would be impossible to enforce a pro rata system for goods and passengers.

INTERCOLONIAL RAILWAY.

Mr. DOMVILLE inquired whether it is the intention of the Government to purchase the property in the harbour of St. John, N. B., of FRANCIS FERGUSSON, Esquire, for the purpose of a deep water terminus for the Intercolonial Railway, or for any other purpose?

Hon. Mr. MACKENZIE said the question was one that would require a good deal of explanation in order to give it a complete answer. He had directed the Chief Engineer to make enquiries as to the value of the property in the vicinity of what is known as RANKIN'S wharf, and there was a report upon the subject in the Departments, but no resolution had been arrived at in the matter.

Mr. DOMVILLE asked if the report could be laid upon the table, as it would save further questions.

Hon. Mr. MACKENZIE said the Government would not bring the report down at present, but he had no objection if his hon. friend would call at the office and see it.

GEORGIAN BAY BRANCH OF THE PACIFIC RAILWAY.

Mr. WOOD inquired what measures have been taken to secure a connection of the Georgian Bay branch of the Canada Pacific Railway with the Eastern Railway system; and whether it is the intention of the Government to aid a line running south to connect with lines terminating on the shores of Lake Ontario; and whether the Government purposes to lay on the table any papers on the subject; and, if so, when?

Hon. Mr. MACKENZIE said the measures taken were to advertise for tenders for the construction of the road from the mouth of French River to the

south-east side of Lake Nipissing, a distance of some 85 miles, and to subsidize the road from that point to some point in the vicinity of Douglas and Pembroke. It was not the intention of the Government at present to ask aid to any line running south, as it would effect no object. As to the papers being laid on the table, the Government were not bound by the Railway Act to ask the approval of the House of the contract for the branch, but, in conformity with their general policy, it was their intention to lay that contract upon the table and solicit the approval of the House. The tenders would also be laid upon the table, and the Order in Council granting the subsidy to the Canada Central Railway. The contract for steel rails would also be laid upon the table, and he hoped to be able to lay all these papers before the House to-morrow or next day.

GRAVING DOCK AT ESQUIMAULT.

Mr. DECOSMOS inquired whether the Government, since the close of the last Session of Parliament, has again finally agreed to grant as a bonus to the Province of British Columbia, two hundred and fifty thousand dollars to aid in the construction of a first-class Graving Dock at Esquimault?

Hon. Mr. MACKENZIE said the Government had come to no other decision than that arrived at previously. The sum of $250,000 for the construction of the Graving Dock, would be advanced as the works proceeded.

STEAM COMMUNICATION WITH THE WEST INDIES.

Mr. YOUNG enquired what arrangements have been made to secure regular steam communication between Canada and the British and Spanish West Indies; and if none, what further steps are proposed to accomplish the important object in view?

Hon. Mr. MACDONALD said the matter was now engaging the attention of the Government, and when a conclusion had been arrived at, the House would be informed.

IMMIGRATION OF MENONITES.

Mr. YOUNG inquired what steps have been taken, if any, to induce a further immigration of Menonites from Russia to the Province of Manitoba or any other part of the Dominion?

Hon. Mr. MACKENZIE said the steps taken last year, he was happy to say, had resulted in great success. His hon. friend from Compton was the first to initiate the movement in this direction, and last year a large proportion of the money lent to the Menonites in Manitoba had been repaid. A deputation of the leading Menonites in the Province of Ontario visited Ottawa a few weeks ago and represented that 900 families in Russia were willing to come to Canada this year, but they were of the poorer class, and were not possessed of the considerable sums of money which these people usually brought to the country. The deputation, therefore, solicited from the Government an advance of $100,000 to enable them to emigrate, the deputation becoming personally responsible for the repayment of this amount in ten annual instalments. The Government considered the project favourably and proposed to ask a loan of $100,000 and $70,000 for transportation. He had no doubt the investment would be a good one, and that every cent of the money would be repaid to the Government, while there would be added to the population of the country a large number of the best emigrants.

CONSTRUCTION OF LIFE BOATS.

Mr. MACDOUGALL (East Elgin) inquired whether it is the intention of the Government to put a sum in the Estimates of this year for the construction of Life-boats to be used in the several Harbours of the great Lakes for the purpose of rescuing the lives of shipwrecked mariners and others?

Hon. Mr. SMITH said it was not the intention of the Government to have Life-boats in all the harbours, but to provide them at those points where they would be most useful. He would be happy to receive any suggestions from his hon. friend as to the points desirable.

HARBOUR OF TORONTO.

Mr. WILKES, in moving an address to His Excellency the GOVERNOR-GENERAL for a copy of the Engineer's report on the condition of the harbour of the city of Toronto, and also for copies of Orders-in-Council, if any, concerning proposed improvements of the same, said it would

be in the remembrance of members of the former Parliament that in 1873 a sum was placed in the estimates for the survey of Toronto harbour, during which year, however, no expenditure was made upon the appropriation. The Government in 1874 provided a similar amount, and it was now reported that during the past summer a survey had been made. It was important in order that no time must be lost, that during the winter season the report should be laid on the table of the House, and printed. He was not in sympathy with those who were continually bringing local questions before the House, and trying to magnify them into the importance of Dominion questions, because he was quite aware that the principle was unlimited in its application. The city of Toronto had not been upon any occasion since Confederation, and for a great number of years before, an applicant for the expenditure of money on its harbour or upon any other of its public works. It had invested a very large sum on the building of the Esplanade, and issued its debentures for the purpose of improving the harbour. All this expenditure had been borne by the municipality itself. From the fact, however, that for a number of years the encroachment made by the washings of the lake on the harbour had been neglected, and it was at present quite out of the power, in his judgment, and in the judgment of competent engineers, that the Local Board of the city should deal with the question. He supposed most members of the House were aware that the harbour of Toronto was one of two harbours on the lake coast which had always been considered as suitable for harbours of refuge. The first of these, after leaving the harbour of Kingston, was Presque' Isle, which was found, he believed, to be excellent, but from the fact of there being no considerable population at the place, that it was practically out of the way and not without some difficulty of approach during certain winds, it had not been much used. Between the harbour and the upper part of the lake there was no harbour of refuge but Toronto. This fact was the reason why he brought the matter under the consideration of the House. He need not refer to the former reports upon the harbour, nor the original report made by BOUCHETTE in 1793, but it had been asserted that the harbour of Toronto was the best natural harbour on the Great American Lakes. The formation was a peculiar one, and gave a harbour of about four miles long and two wide. It was a matter of dispute how it was originally formed and he would merely mention that it was supposed by those who had given it the best attention that the beach called Scarboro' Heights had been gradually worn away, and that the matter driven from that formed a bar opposite the City of Toronto. This gradually filled up until it formed an island, and it afterwards became a peninsula. During the last ten years the action of the lake had made a breach at the eastern end of about three quarters of a mile wide, and the formation was again turned into an island. The effect of this was that the matter which formerly went to make up the island was now drifted into the basin, and it was the opinion of the best engineers that within twenty years or less, the basin would be entirely filled up. He had a paper before him on this subject, published by an officer who had been resident upon the island for a long time, which showed pretty clearly that if something had been done in the matter several years ago, to arrest the progress of this destruction, the harbor would not have been in its present danger. To give some idea of the expense the harbor had been to the Local Board, he might say that within the last twenty years $1,156,000 had been spent upon it, a considerable portion of which had been contributed by the Harbor Commissioners and from the local rates. The harbor dues and other receipts by the Commissioners amounted to an average of $18,000 a year, and dredging and other expenditures amounted to about a similar sum; indeed the income and expenditure for the last year balanced one another to within about eight dollars, and so there was no surplus revenue whatever. As to the magnitude of the traffic, he might state for the information of the House that the number of vessels entered inward and outward for the past two years was 2,833, and a considerable proportion of the same were steam vessels. He thought that it would be admitted that a harbor of this description was of some public importance, and that it should not be allowed to be destroyed, and that when the report of the engineer was brough

down, the Government would be able and willing, in a liberal spirit, to devise some plan by which this destruction might be effectually prevented. The Harbor Commissioners had the power to issue a certain amount of debentures, but the result of this would only be to necessitate the levying of an increased tax upon each entry into the port, which would have a depressing influence upon the traffic. And, further, from the fact that the port was largely used as a harbour of refuge, it was considered to have a fair claim on the attention of this House. He thought, notwithstanding the large expenditure for railways, that it would be conceded our waterways, which were now having such enormous amounts expended on them, should be kept in good condition. The deepening of the Welland and St. Lawrence Canals would be of comparatively small value unless the harbours were maintained. The Eastern gap of Toronto harbour was some seven feet deep in the channel, and on a very large extent of it there was probably five feet of water. He was not an engineer, and he was not prepared to anticipate the report of the engineer, but he was in a position to say that if something were not speedily done to arrest the destruction of the bar of the harbour, great expense would be incurred. He was not prepared to lay the blame for this state of affairs on any particular quarter, but would only say that the harbour had been neglected, and consequently would cost much more now to repair it than if it had been attended to some time ago. He hoped that in bringing down the report the Government would be able to give the House some idea of whether they would do anything to prevent the destruction of the harbour.

Hon. Mr. MACKENZIE said there was no objection to the motion, but he regretted that he was unable to give his hon. friend any assurances with regard to the course the Government would take in the matter. The explorations made this year were of a very thorough character, and revealed the extent of the destruction which had been going on in the harbour for about ten years. The harbour was formed by a huge sand bar extending from one end of the city to some distance beyond the other end, and wherever a channel had been broken through it by the force of the sea, the sand banks were continually shifting. Storms from different directions formed sand banks in places altogether different from where they might have been settled before. The engineer had reported a plan involving a cost of between three and four hundred thousand dollars to carry it out. The Government could not think of entering upon such enormous expenditure without having further surveys made and plans prepared, and it would be necessary to have further explorations made after the present session. The Government could only take such means as they possessed to keep the channel dredged, by which vessels could have access to the lake. That could be done this year, but he did not think the Government would be justified in entering upon a large expenditure this year.

Mr. WILKES said the dredging last year had been done by the Harbour Commissioners and cost $13,000, but they had not constructed the crib works necessary to arrest the destruction of the harbour. If the Government were prepared during the present session to say whether a stone and crib work would be sunk next summer to aid in the formation of the bar again, it would be of very great importance to know it.

Hon. Mr. MACKENZIE—It is precisely the crib work that would cost the $300,000.

Mr. COOK said he had an opportunity a few years ago to examine Toronto harbour, in connection with the buoying. It was considered by some members of the Board of Commissioners then that as the harbour commenced at Scarboro' Heights, and extended West, the people of Toronto should not be jealous, but let the people of Oakville have the use of it for some time and gradually it would work back again.

Mr. WOOD said he had always looked upon this as a local work. He did not think it could be regarded as a harbor of refuge, and consequently the Government could not expend money upon this work. The people of Toronto levied a toll upon vessels entering and leaving the harbour, and he was quite satisfied if they would call it a local work, and make it a good harbour, they could collect tolls enough there to keep it in good order. So far as Hamilton was concerned, they did not come begging for assistance. The city had a harbour of its own, and kept it in good order. If the people of Toronto could not manage local works let them go to Hamil-

ton for an example, instead of looking to the Government for assistance.

Mr. WILKES said the channel through the bar between Burlington Bay and the Lake had been cut by the Government, and a nominal toll levied on vessels. That toll was still further reduced for the benefit of the enterprising citizens of Hamilton, and the House would perceive how disinterested the hon. member was in the advice he had given on this subject.

Mr. WOOD said the tolls had paid for the improvement several times over.

The motion was carried.

THE MEMBER FOR PROVENCHER.

Mr. BOWELL asked leave to withdraw his motion for the reading of the entry of the Journals of 31st March and 9th of April, 1874, relating to the examination of Attorney-General CLARK, Detective HAMILTON and Policeman MCVEITY; and also his resolution for the expulsion of LOUIS RIEL, Member of the House of Commons for the Electoral District of Provencher, in the Province of Manitoba. In doing so, he said after what had fallen from the leader of the Government on this important question, he would not press his motions, because the result of the Government measure was the same as what he desired to accomplish. He had seen it charged that in discussing this matter he had done so in a savage manner. If so, it was only in repeating and reading the declarations which had been made by gentlemen who now occupied seats on the opposite side of the House, when they were in opposition. It was also asserted that he had stated there was no difference in the circumstances surrounding this unfortunate question now and when it was brought up a few months ago. He was sure when the charge was made it was made in forgetfulness of the facts of the case, because he had pointed out to this House that there was a very great change in the gentlemen on the Treasury benches, and to that change he attributed greatly the change in their sentiments. He had nothing more to say on this point further than to hope that ere many days the Government would take the position that had been indicated by the Premier, and that a writ would be issued in order that Provencher might be properly represented in this House.

The motions were dropped.

JUVENILE MILITARY EDUCATION.

Dr. BROUSE moved the appointment of a Select Committee to report upon our present system of military drill, with the view to ascertain if some improvement may not be effected therein. He said, in accordance with the notice placed on the paper, I desire to draw the attention of the House to our present system of military drill, with the view of recommending the introduction of juvenile military education into our schools, believing that it bears a most important relation to the future growth and stability of our country. We find yearly that the public debt is largely increased, and that the taxes bear more heavily upon the taxpayers, while at the same time from the extent of our domain and the many public improvements that necessarily must be made, our Finance Minister can scarcely promise us even in the far future any diminution in this respect, but rather on the contrary, an additional accumulated financial burden. Hence any legitimate means that can be devised whereby our yearly expenses can be diminished should meet the earliest attention and active consideration of those who legislate for the benefit of the country. Year after year this House has voted I might say ungrudgingly, large sums of money to keep up a militia system, which in my mind has not accomplished the object desired. This large sum voted for this special purpose has in some years consumed one-twelfth of the net aggregate taxation of the Dominion. During the year of 1872, when no disturbance threatened our borders, one and a half million of dollars were voted for militia purposes, and during the past year our Finance Minister called for one million dollars for military expenses. Feeling that a remedy can be given to some extent for this excessive drain upon our resources, and at the same time not lessening the physical and national strength of the country but on the contrary adding largely to them in the future, it is with this view that I call the attention of the House, and the consideration of the Government to the question of Juvenile Military Education in our Schools. This question of Military Instruction in our Schools has received considerable attention from many of the wisest scholars and best statesmen. The Governments of the old

countries and also of the United States have turned the national thought to juvenile military training. In 1860 a Royal Commission was appointed in England to report upon the state of popular elementary education in that country. Some of the ablest men, such as the late Duke of NEWCASTLE were selected to act on that Committee. The result of their labours contained in six large volumes, is exceedingly interesting and instructive, and has made a deep impression upon the public mind in England. In discussing this question the House will pardon me for frequently alluding to this report as well as to a treatise written by a Government officer, who has devoted much time to the Militia of our country. Attached to that report we find this important statement, the production of Mr. CHADWICK. Probably throughout Great Britain no person is more entitled to consideration or has done more for social reform than Mr. CHADWICK. He has left on record these valuable conclusions "That too much time is devoted to book instruction in our schools and too little to the physical training of the pupil. That the mind is overworked; the body insufficiently exercised. That book-work is generally prolonged much beyond the capacity of the pupil to the injury alike of his physical and mental powers. He further asserts that it is demonstrable, nay, that it has been demonstrated by actual experiment, that by employing in the physical training of the pupils, more particularly in systematic military drill, a portion of the time now uselessly or hurtfully mis-spent on books, incalculable benefits, physical, moral, intellectual and economical will result to the persons taught, and, as a matter of course, also to the nation." I fully endorse here the statement thus enunciated by so eminent a statesman. It has been and is to-day not only a national mistake but a universal error to compel the tender child to quietly sit for six or more hours, urging them to fix their thoughts and attention upon what to many of them is an uninteresting subject, while the physical developement is not promoted, but actually retarded. I would here remark that intimately connected with the subject of my motion is the question, What is the amount of time, the number of hours per day, during which children may be profitably employed in acquiring mental instruction?—or, in other words, what are the limits, physical and mental, of the tender child during his school days? Mr. SPEAKER, few of us fully appreciate the importance of this national question and the bearing it has upon the future development of the country. Our hospitals, penitentiaries and charitable institutions would afford a history of overwhelming evidence of a defective system of too much early mental and too little physical development. I lay down the broad principle, without fear of contradiction, that the education of the youth should be of a mixed character. That the physical should be associated with the mental and that the youth will acquire knowledge more rapidly and thoroughly when a portion of the time is devoted to physical development. I am aware that many may be found who naturally possess a vigorous constitution, and may devote their entire time to the close studies without impairing their general health, and even succeed in becoming accomplished scholars, and yet not impair their constitutions. Still it is a sad reality that does not require the testimony of medical men to corroborate, that the continued strain of the mental powers of the youth without corresponding physical exercise greatly weakens the youth both of body and mind. An eminent writer, Dr. SCREIBER, has emphatically demanded:—"How are our children brought up? Is it according to the laws of nature?" Then with equal emphasis he declares it is not, or else we should not see so many of our youth who were rosy and healthy before going to school, become pale and bloodless after attending school. Another writer adds:—"Nature commands children to romp and play just as she does young colts and lambs. Pen them up in school, fetter their limbs, shut them out from God's sunshine and vivifying breezes, and what do we make of them? Their physical integrity is certainly impaired, and also their intellectual capacity is equally caused to suffer." Dr. RAY, who has had large experience in mental disease, and who in consequence is acknowledged one of our best authorities on this subject, writes in this manner:—"I have said that insanity is rarely an immediate effect of hard study at school. But if the whole mental history of the patient were clearly unfolded to our view, we should often find, I apprehend, at a much earlier period, some

agency far more potent in causing the evil, than the misfortune, or the passion, or the bereavement, or the disappointment which attracts the common attention. Among the remoter agencies in the production of mental disease, I doubt if any —except hereditary defects—is more common at the present time than excessive application of the mind when young." Other eminent authorities can readily be added to corroborate the truth of my proposition that too much culture is usually attached to the mental and too little to the physical development, and that the youth can accomplish more in the acquisition of knowledge even when a portion of the time is devoted to varied exercises. Admitting, therefore—what in my mind cannot be successfully contradicted, we look for the natural remedies for the evil, which is national. They are to be found: 1st, in a reduction to the proper limits of the time set apart in schools for book instruction; and 2nd, in systematical physical training of the children. Mr. CHADWICK, in his admirable paper, placed before the commission, and already referred to, asserts and the testimony of some of the most intelligent witnesses gave similar evidence—that the ordinary school hours may be reduced one half without in the slightest degree diminishing the amount of book instruction acquired by the pupil in a given time. Without accepting this proposition to its full extent, it may be laid down as an axiom that such instruction ceases to become profitable, and should therefore cease when the child is no longer able to give his entire attention to the subject that is taught. The instant the pupil becomes tired and fatigued, that instant he loses the power of careful attention. Everything done after that is either unprofitable or hurtful—it is establishing a habit of listlessly skimming over the lesson, or unconsciously looking at his book without digesting its meaning, and eventually becomes fatal to his future prosperity. I might extend this line of argument to show that much of the time employed in the school is positively injurious to the mental capacities of the overworked child, as also to the physical powers, but will merely assert what we have endeavored to prove and what we believe to be the aim and object of a thorough and practical system of education. It is to secure the development and healthy growth of the entire man, of all the powers and faculties, physical and intellectual. In my remarks I do not desire to be understood as casting any reflection upon our school system. I speak more particularly of that in the Province with which I am familiar—the Province of Ontario—but on the contrary will add that we have just reasons as Canadians to be proud of our schools; and when the principle of military training becomes adopted for the physical development of our sons, then we may boast of possessing the most perfect system for the entire education of the youth on either continent. Having a full conviction of the truth as expressed in my first proposition, that a successful education should be mixed and be both physical and mental, I will now call the attention of the House to what I consider is the best kind of physical training for our schools. This exercise should not be too severe. The tendency of the child is to over exert himself when engaged in the ordinary sports where gymnastics are practiced. An eminent author writes, "That during the period of growth, great fatigue injures the general health. But even when gymnastic exercises are so managed as to avoid this inconvenience, and when they succeed in imparting to the boy an extraordinary degree of muscular development, I am perfectly convinced that the natural adjustment of the functions is thus prevented. For, however well fitted the frame of the youth may be for feats of agility, nature has not adapted it for strength, the attainment of which she defies until the period of growth is passed; and consequently her plans are deranged when muscular strength is artificially and prematurely obtained." Mr. CHADWICK advocates the military drill for occupying a portion of the time taken from book instruction as the best kind of physical training for the scholars. The paper which he submitted to the Commissioners contains the evidence of a number of intelligent witnesses, principally school teachers and military men, most of whom speak of the results produced in school where military drill had actually been tried. He triumphantly appeals to the Committee as establishing the great value of military drill in our schools as regards the present welfare of the pupil and the wider interests of the nation. He contends that the evidence clearly shows where this system has been

adopted a salutary and moral improvement. It must be apparent to every hon. member that the drill proposed would have a salutary effect upon our youth, particularly when the constitution is weakened by mental application, or through defective organization, and that the tendency would be to correct those congenital bodily defects which are the source of so much anxiety to parents. WORDSWORTH has truly said —" the child is father to the man, for man received the heritage of vigour, or debility of health or illness, which his childhood bequeathed to him, and we cannot be too careful in watching over this period of life." Again, as regards the moral—no doubt systematized drill gives an early initiation to all that is implied in the term discipline : viz., duty, order, obedience to command, self-restraint, punctuality and patience. On the second chief topic as regards the interests of the nation, Mr. CHADWICK argues that the general introduction of the drill has established the following results proved on practical evidence, of officers and teachers engaged in the drill :—1st, That military drill is more effectively and permanently taught in the juvenile stages than during adult stages ; 2nd, That at school it may be taught most economically as not interfering with productive labour, and that from 30 to 40 boys may be taught the military drill per week as cheaply as one man is now taught, that the whole juvenile population may be drilled completely in the juvenile stage as economically as the small part of it is now taught imperfectly on recruiting, or in the adult stage ; 3rd, That the drill when made generally prevalent will eventually accomplish, in a wider and better manner the objects of volunteer corps, which as interrupting productive occupation is highly expensive, rendering all such volunteer forces dependent on fitful zeal and eventually comparatively ineffective ; that the juvenile drill if made general will accomplish better the object even of the Militia, that the juvenile drill will abate diffidence in Military efficiency, and will spread a wider predisposition to a better order of recruiting for the public service, and will produce an immensely stronger and cheaper defensive force than by the means at present in use or in public view. That it is more lasting when taught in our schools, and is not easily forgotten. The drill when acquired in youth becomes part of the man in years. When thoroughly learned in youth, it is like swimming, riding or skating—it remains a permanent acquisition. And, lastly, that the means of producing this defensive force, instead of being an expense, will be a positive gain to the productive power and value of the labor of the country. We find prominently proved in that evidence, which has been most exhaustive, a singular unanimity among the teachers of the schools where the experiment has been tried—that they all consider the drill as an invaluable help to them in enforcing the school discipline. And they ascribe the usefulness of drill in this particular, to the habits of order, punctuality, of prompt unquestioning obedience, and of respect for their superiors, which the boys necessarily acquire during their lessons in drill. Indeed, several instances are adduced by Mr. CHADWICK'S witnesses, where the Military drill having been from one cause or another discontinued in a school, the spirit of insubordination became such that the unhappy master was compelled to re-establish the drill in order to restore the discipline in the school. I think sufficient has been shown to establish the proposition already made, that advantageous and important results may be expected to flow both to the individual pupil and to the nation by the introduction of an efficient military drill in the general system of our school education. That military drill can be taught to boys at school more effectively and economically than in after life is a proposition which none would be disposed to seriously dispute. The teachings of the youth follow the man through life. The drill learned by the boy at school may be recalled when any future occasion demanded. I will now draw the attention of hon. members to the bearing this question of military drill in our schools would have upon the national defence. As nearly as I can compute the number of boys attending school in the Dominion, we have about 500,000. A writer, who has devoted considerable attention to this subject, considers that one-fifth of this number may by one cause or another be incapacitated from drill ; still after making this deduction and even an additional allowance of 20 per cent we would have 300,000 boys in our schools learning military drill if the system were

Dr. Brouse.

unanimously adopted. At the end of ten years we might reasonably expect three-fourths of a million of young men who had undergone a regular course of drill; and a very large proportion of whom would be capable of bearing arms, and if the necessity arose could with very little additional training constitute an educated and trained military defence. Let us now inquire what is the result of our present system of military instruction for which the taxpayers have contributed so liberally. I would not speak disparagingly of an organization with which I have been connected for many years, and in which I have striven to bear an humble part, but a sense of patriotism compels me to speak plainly and unmistakeably. The national loss under our present system of military drill is of so serious a character that I must condemn it. Of the number who constituted our military force and received the annual drill for the past few years, a large percentage are now citizens of the neighboring Republic. Of three companies who received regular instructions, residents of the town in which I reside, a large proportion have moved into the United States. The companies of the towns, particularly, have been composed of the floating population—men who are here to-day and away to-morrow. Nay, more, I almost hesitate to say it, but it can be shown that along the frontier when the eight or fourteen days' drill were ordered by the Government, that residents of the U. S. came across the St. Lawrence, joined our companies, put in their drill, received their pay, and returned to their homes beyond our borders. While such facts exist, and many more may be cited, I emphatically condemn the present system of military drill as an unsatisfactory return for the large amount of Dominion treasures that are annually voted by this House. The great point in all defects and all diseases is to be fully satisfied that a safe and successful remedy may be offered. I offer the remedy by adopting military education in our schools. It is then for us to inquire: Can we utilize our schools in imparting military instruction? In 1863 the Chief Superintendent of Education for the Province of Ontario, reported eighteen Grammar schools as partially adopting military education in their course of training. He adds that the Board of Common School Trustees in the City of Toronto have, with praiseworthy intelligence and public spirit, introduced a regular system of military drill among the senior male pupils of their schools. And, to give a practical opinion, Dr. RYERSON declares that the system of military drill can be easily introduced into the schools of all the cities, towns and villages in Ontario, and, perhaps, in some of the larger rural schools; and the military training of teachers in the Normal School, together with the large number of persons who are being taught in the Government Military School, afford great facilities for making military drill a part of the instruction given in the grammar and common schools referred to. In addition to this, I hold in my hand a very elaborate statement from the Inspector of High Schools for the Province of Quebec, Dr. MCLELLAN, which is too voluminous to read to the House, but I will read the following extract:—"There is too much time now devoted to mere intellectual training in the schools. Military drill would be a relief, a recreation, so that, while increased physical energy would be secured, and a knowledge of military matters highly important to the State, greater scholastic proficiency would be sure to follow; the jaded mind, relieved by a salutary and interesting physical discipline, would return to intellectual work with a quickened energy, which must secure more rapid progress in the ordinary studies of the curriculum. In a word, we should have in every respect better teachers, better pupils, better schools, and ultimately better men and better citizens." In the neighboring States this subject is engaging the anxious attention of the Governments, and military drill is likely to become a part of the system of education in all the public schools of their towns and cities. The Legislature of Massachusetts passed a resolution directing the State Board of Education to take into consideration the subject of .introducing an organization of scholars above the age of 12 for military drill and discipline. The Board appointed a Committee, of which the Governor of the State was chairman, to investigate the subject, and to enquire into the result of an experiment which had been tried for two or three years in one of the towns of the State—the town of Brookline. The result of the enquiry is thus stated in their report:—"The boys

in the older classes can readily be selected from their playmates by the improvement of their forms. Habits of prompt, instant and unconditional obedience and also more fully and successfully inculcated by this system of instruction than by any other with which we are acquainted. A perfect knowledge of the duties of the soldier can be taught to the boys during the time of their attendance at the public schools, thus obviating the necessity of this acquisition after the time of the pupil has become more valuable. A proper system of military instruction in the schools of our Commonwealth would furnish us with the most perfect militia in the world; and we have little doubt that the good sense of the people would soon arrange such a system in all the schools of the State." The Committee also adds the following remarks, which are as applicable to our Dominion as they are to the State of Massachusetts :—"The public schools are maintained at the public expense in order to prepare youth for the duties of citizenship. One of these duties is to aid in the defence of the Government whenever and wherever assailed. Surely then there is no incongruity, no want of reason in introducing into the schools such studies and modes of discipline as shall prepare for the discharge of this equally with the other duties which the citizen owes to the State. But can this be done without detriment to progress in the other branches? Can it be done without loss of time? The Committee is satisfied that it can, and that thereby a large amount of practical knowledge and discipline in military affairs may be obtained, and at the same time a very great saving of time and labor be effected, which, under a system of adult training, would be withdrawn from the productive industry of the country." I will briefly allude to the system of military drill as taught in the schools of the Island of Jersey. Col. WILEY, himself an old soldier, and of the military department has long been an able advocate of the introduction of military drill in our schools. He alludes to the admirable system adopted in that island, of which he is a native, in these words:—"Under their military organization which has obtained for centuries there, every boy between the age of 14 and 16, is compelled to attend drill once a week—commodious drill sheds and competent drill instructors being provided for the purpose." He also observes that those who are charged with the responsible task of organizing our militia might possibly find it not unprofitable to enquire into the working of a system which has produced at a very trifling cost a militia probably unequalled in the world, and it will probably be found that the great secret of the success of that system lies in the early military drill of every boy upon the island I might extend my remarks by a still further reference to the Prussian system of military education—where every male youth must not only become conversant with the literature of his country but must also thoroughly learn the military drill—a system that has no doubt elevated Prussia to the proud position she occupies among the nations of Europe; but I will not trespass longer on the patience of the House. The Government has acted wisely in establishing a military school for educating young men as engineers and officers. The country has endorsed that action. Let them make an effort to arrange with the Local Governments for the introduction of juvenile military drill in the schools, and utilize those who graduate in the military schools as drill instructors in the normal and grammar schools of the country. In this way a large saving may be effected and a great work be accomplished. It is true, some difficulties may present themselves, inasmuch as school matters are under the control of the Provinces, but the Government looking to the great future of this Dominion can surely make some satisfactory arrangement for accomplishing an object of so much importance to the growth and stability of the country. The history of nations of the past is not the history of the nations of to-day, nor will it be the history of the nations for the future. When war was declared in the past, the Generals commanding the armies had time and opportunity to prepare them for the conflict. Not so at the present hour. The telegraph has annihilated space; the railroad has brought distant localites into close proximity, and the improvements in steam and water communication enable armies to be speedily landed upon distant shores. When the proclamation of war goes forth, almost immediately is heard the clash of arms. The nation best prepared for the conflict must be successful. This was clearly illustrated in the late

Franco-Prussian war. When France sent her army to the scene of war, her entire army marched ; but when the Prussian forces advanced, a reserve of her entire male population educated in drill were prepared to swell her ranks and do battle. Let us then read aright the history of the hour—let us legislate to inspire into the breasts of our young men the true spirit of patriotism and love of country. Let us introduce into our schools that juvenile military education, that will afford us a prepared educated defence which will successfully protect our homes and nationality should any future occasion demand.

Hon. Mr. VAIL said he did not rise to object to the motion of his hon. friend, nor to express any opinion upon the question of military drill. The hon. gentleman had given the House and the country a great deal of valuable information, but as the education of the youth of our country was under the control of the Local Legislatures, he (Mr. VAIL) feared that there might be some difficulty—perhaps almost insuperable—in carrying out the views so ably presented to the House by that hon. gentleman. He agreed to a great extent on what had fallen from his hon. friend, and he was sorry that more members of the House were not present to hear his able speech, and hoped that the hon. gentleman would during the recess visit various parts of the Dominion and deliver that speech or a similar one before our educational institutions. If he did so he would be entitled to the thanks of the whole country. He (Mr. VAIL) hoped that now his hon. friend had laid his views so ably before the House, he would allow the matter to stand over till next session. We had now at the head of the militia in this country a gentleman of very great ability, one from whom they expected a good deal in the direction of improvements in drill, and he thought he was not asking too much of his hon. friend when he asked him to let the matter stand over till next session. In the meantime he would take advantage of the information given the House by the hon. gentleman, and would also gather such additional information from our educational institutions as might be desired in the consideration of this subject. The question of military drill was one to which he himself had given considerable attention, and he had hoped that before Confederation, when the Provincial authorities had the whole matter under their control, many of the views of the hon. gentleman would be carried into effect. There were now difficulties in the way which did not exist then, and if the hon. gentleman would allow the matter to stand over, no doubt his views would receive careful consideration from the officer at the head of the militia, and by next session the Government would have such information on the whole subject as would place them in a better position to deal with these views.

Mr. ROCHESTER said he was greatly pleased with the speech of the hon. gentleman who had introduced this question to the notice of the House, and he believed that great advantage to the country would flow from the adoption of the system proposed in our common schools. However, he rose, not to discuss the question, but to make a suggestion which had been made to him by several parties connected with the volunteer force. It was to the effect that volunteers who performed the amount of drill required of them should be relieved of the burden of having to perform statute labour. Its performance involved the loss of a good deal of time, and some expense, because the small amount of pay they received from the Government was not adequate to cover the expenses which were generally incurred by the men, and he therefore thought the Government would do well to consider the propriety of relieving those men who assume these burdens of the duty of performing statute labour.

Hon. J.H. CAMERON said the House was very much indebted to the hon. member for South Grenville for having brought this matter so ably before the House. He was sure that the Committee that was asked for would be able to gather a good deal of valuable information on this important subject, and make many valuable suggestions which would be of great assistance to the Government in their future consideration of the question, and might pave the way for the adoption of the system proposed by the hon. member for South Grenville. The difficulties arising from the fact that the common school system was under the control of the Local authorities he thought could be met by a careful examination of the whole question by the Committee, which might lead to the Local Governments taking the matter up.

It was not very often that hon. gentlemen took so much trouble to gather together valuable information as the hon. gentleman had taken, and he was quite sure that if the speech of the hon. gentleman was followed up by a thorough investigation of the whole subject by a Committee of this House, that the way would be opened for the adoption of many of the views of the hon. gentleman. He hoped that the Government would see their way to granting a Committee, even supposing that Committee did nothing more than consider the difficulty which had arisen from the fact that common school education was within the jurisdiction of the Local House; for he believed if they took up that branch of the subject, that a way out of the difficulty might easily be found.

Hon. Mr. MACKENZIE said that the Government had no objection to the Committee being appointed, but they must object to being bound in any sense, by any conclusions which the Committee might report to the House respecting the system of drill. As the Minister of Militia had very properly pointed out, they were not in a position to make any promise of that kind, particularly as the new general officer who had been engaged by the Government was considering what improvements were best to be adopted in order to place the active Militia of the Dominion upon the best possible footing. It must also be remembered that the Government last session, with unanimous approval, decided to establish a military college in order to supply a complete system of education for staff officers, thus affording the means of ultimately supplying the entire force with educated officers. They hoped within a very few months to have that Institution opened. He might say—although he could not state what the suggestions were, that being a matter of confidential communication—that two or three entirely new suggestions had been made to the Government by the General Officer, which the Government had under consideration at present, with regard to some radical changes in the Military Institutions of the country. While this was under consideration, the Government would not like to be embarassed by the action of a Committee appointed by the House, otherwise there would be no objection to the appointment of the Committee, the Government, of course, reserving to themselves perfect liberty of action in reference to the matter, which, after all, must be brought up by the Government of the day.

Sir JOHN A. MACDONALD said he was very glad that the hon. Premier had seen his way to the granting of the Committee with the understanding he had mentioned. Perhaps the motion as put was rather wide, and that there was substantial ground for the objection made by the First Minister, inasmuch as it was proposed that the Committee should consider and report upon the whole subject of Military Drill. If the hon. gentleman who had made the motion would confine the Committee to considering and reporting upon the system of Military Drill so far as it could be made applicable to the Common School system of the country, he thought it would be more satisfactory. If this suggestion was adopted, it would be well to have the subject taken up at once, so that the Government in their future dealing with it would have the benefit of the Committee's report. The hon. member for South Grenville had treated the whole question so ably and exhaustively that his speech, supplemented by the report of the Committee, would have great weight in the country, and no doubt would receive the careful attention of the various Provincial Governments. Of course there was the difficulty that the hon. Minister of Militia had pointed out, namely, that the common school system was under the control of the Provincial authorities. Still, when the Committee should submit their report, if the Government saw its way clear to adopt any of their recommendations, or to take up the subject at all, they might press it upon the Provincial Governments, and secure their co-operation in carrying the proposed system into operation. After the system was once adopted, then the Dominion Parliament might be called upon to supply a certain quantity of arms to the different schools for the purpose of drill. However, he was not at all sure—indeed he would be very sorry to suppose—that this Parliament had not the power under the Constitutional Act to force military drill on the youth of the country. If under the new system which his hon. friend had spoken of, it was considered expedient, the Government could make the training of our youth in military drill

at the public schools a part of the system of Militia and Defence, and thus bring it within their jurisdiction. However, that course was in the last degree inadvisable; it would be much better if by concert between the Dominion and Provincial Governments the introduction of military drill into our public schools could be effected. The proposed system could then be introduced as a part of the system of education, and the Dominion Government would, he presumed, be obliged to supply the requisite arms. He would be very glad, the motion being changed as he had suggested, if the Committee were appointed so that the Government and the public might have the advantage of their report in the future consideration of the subject.

Hon. Mr. MACKENZIE said he had forgotten to refer to the suggestion of the hon. member for Carlton, that those volunteers who undergo the annual drill should be relieved from statute labour. That was a subject not within the jurisdiction of the Dominion Parliament, and the only way they could carry out the suggestion would be by voting money to pay for the statute labour of these men, which they were not likely to do.

Mr. YOUNG said if the motion was confined to the general question of military drill, he had no objection to it. In fact, such a Committee might be highly desirable, seeing that a very large amount of money was spent in militia matters, the return for which was not very apparent. At the same time, there was no doubt that the question of military drill in the common schools was one which ought properly to come before the Local Legislatures. He was of opinion that in the public schools of Ontario at least there was already such a multiplicity of studies prescribed that it would be impossible to add to them with any advantage. In fact, he believed that the public schools in Ontario at the present time were suffering immensely, from the fact of there being such a multiplicity of studies that the more useful parts of education were neglected. If, in addition to the present programme, the study of military drill was added, it would, in his opinion, render the teaching still more inefficient than it was at present. Many of the people in his section of the country, including some of the most respectable, had strong feelings against introducing drill into the common schools. For himself, he was by no means convinced that any advantage would be gained by the adoption of the proposed system, and, as the matter was one which did not properly belong to the Dominion Parliament, he thought the motion ought to be restricted to the general question of military drill, without reference to its being introduced into the public schools. If the hon. gentleman would amend his motion in that direction he would support it, but he would object to it if it was put to the House in its present shape.

Mr. DOMVILLE said he was opposed to an expensive system of drill. The country had already enough of burdens upon it without having to pay for a system of school drill. He, for one, would prefer to see the hon. gentleman introduce a Bill to prohibit the importation and sale of fire-arms in this country except on certain conditions. The youth of this country already had commenced to use fire-arms. He might point to an instance which occurred the other day at Caraquet, in New Brunswick, in which, by the injudicious selling of fire-arms the people had got possession of them, and some men were shot. He certainly was opposed to the idea of supplying the boys of our schools with fire-arms. On this occasion therefore he was happy to be able to coincide with the views of the hon. member for South Waterloo.

Mr. MACDOUGALL (East Elgin) said this subject was of sufficient importance to engage the attention of the Government, and they should take the responsibility of dealing with it. The subject appeared to him to involve two very important considerations. First—What was the extent of the power of this House with regard to legislation on this subject—whether they had the right to force military drill on the youth of our country in the public schools, or whether that power was exclusively under the control of the Local Legislatures? Secondly, if this House had the power, whether it was advisable to adopt the plan proposed, or if the House had not that power, whether a Committee should be appointed, to report upon the question as to whether it be desirable to urge upon the Local Governments the adoption of the proposed system? For these reasons he hoped the hon. member would see the propriety of

withdrawing his resolution. The attention of the Minister of Militia had been called to the subject by the hon. gentleman's speech, and he had promised to profit by it. For his own part he thanked the hon. member for South Grenville for the vast amount of information that he had laid before the House on this important subject, and which had made so deep an impression upon his own mind that he was convinced that the Government should take the responsibility of dealing with the subject.

Mr. CASEY said he was very much pleased that the attention of the House had been called by the member for South Grenville to the question of military drill. It was not the first time that that hon. gentleman had brought up questions of that character, and the discussions evoked in times past had no doubt been beneficial in many respects. With regard to the present question, he partly agreed with the hon. member and partly disagreed with him. He believed it was quite established by the evidence that the hon. gentleman had laid before the House that military drill was a very useful method of obtaining gymnastic training in the public schools, as well as forming habits of obedience and self-control in the pupils; but he did not think it had been established that military drill in the public schools would really be of any great benefit to the militia force of the country. He did not understand from the hon. gentleman that he wished to have the scholars in the schools armed with the ordinary weapons, and therefore they could only practice the manual exercises and general elements of drill. That was only part of the duties of volunteers. The use of weapons was a very important part of their instruction, and what was still more important was practice in camping out, and drilling in companies and battalions. In his opinion, even if this House had the power of enforcing Military Drill in the Common Schools, it would be found of such very slight benefit to the Volunteer force of the country, and would involve an expenditure from which they would receive very little revenue. He thought that the money which would be required under the proposed system would be more usefully spent in extending the Military exercises in camp. For those reasons he hoped the member for South Grenville would withdraw his resolution. The attention of the Government having been drawn to the question, he supposed the hon. gentleman had attained the object which he desired, and it would no doubt lead to more attention being paid to the Militia force in the future.

Mr. MILLS said he had listened with a great deal of interest to the very able speech of the hon. member for South Grenville, and he had no doubt that everything that hon. gentleman had said with regard to the hygienic effects of military drill on the part of the pupils of public schools was quite correct. But how far it would benefit the country from a military point of view was entirely another question. He would not pretend to express any opinion on that subject, because he would not presume to express an opinion adverse to that of the hon. gentleman who had given very considerable attention to the subject. But he had the gravest doubts with regard to the advantages in a military point of view of the military drill, not merely of the children in the public schools, but of our volunteers as carried on for some time back. His own impression was that no very great advantage in a military point of view was to be derived from taking extraordinary pains to make our people efficient in that particular, and to prepare them for a contingency that was likely never to arise. One thing was certain that any very extraordinary efforts put forth by us in this direction would attract attention, and suggest similar efforts on the part of our neighbours; and moreover the system would be merely preparing the way for the ultimate introduction of some such system of military training as existed in Europe, which he was sure no one wished to see introduced on this continent. He was of opinion that in a country situated as we were not likely to be involved in war, and having a large demand upon our resources for ordinary public improvements, it was highly desirable to have our military affairs conducted as cheaply as possible, and therefore he thought that the best plan was that adopted by the Government last session, namely—to establish efficient military colleges, in which a few of our people could become thoroughly trained, and who would form the nucleus of a military force in time of necessity. He thought we could learn something from

the experience of the United States in their civil war. The most efficient officers that country had were those who received their military training at West Point. He had no doubt whatever that military drill in the schools would secure ready obedience. He had no doubt that the military training of Prussia had had an important effect on the nation. What we required in a country like this, however, where we have popular institutions, was not so much a spirit of obedience as a spirit of self-reliance. There was nothing more wide apart than what we observed in Prussia and in this country, where the Anglo-Saxon and French races were settled. We had here a spirit of self-reliance, and a people who, altogether apart from the restraint of Government, exercised the habits of self-government. It was not so in Prussia, where there was a disposition to obey, it mattered not how arbitrary the law. However despotic the Government, there is no attempt to throw off this restraint. This was largely due, and it was the opinion of a few of the liberal men of the day in Prussia, who had contended for years against the system that prevailed there, that military training in schools had largely tended towards the establishment of arbitrary Government in Prussia. He could not agree with the observations which had fallen from the hon. member from Kingston, because he was disposed to stretch the powers we have under the constitution to an undue degree in the direction of authority. The hon. gentleman contended that if we have a Military force and Volunteers under this Government, we certainly had a right to provide for Military training in the schools. He did not think the Act relating to Military organization contemplated the drilling of persons under a certain age, and he did not think this House could apply to pupils attending the schools the provisions which referred to the Volunteer force of the country. There was no doubt that if it should be found advisable that the youth of the country should undergo a Military training, the Local Governments could be induced, to a very considerable degree, to co-operate with the Government here. For instance, if this Government should contribute a certain amount towards the maintenance of schools, the Local Governments might to a certain extent adopt this system of Military drill. He agreed with those that expressed the opinion that this matter ought to rest with the Minister of Militia, and that the Government ought to take the matter up and be held responsible for any legislation had upon the subject. While he had been much entertained, and had listened with very great attention to the able speech of the hon. member for South Grenville, he was not inclined to agree with him in the opinion that it would be to the advantage of this country that a system of Military drill should be introduced in our schools.

Mr. SCATCHERD said the question was not whether the system should be introduced into our schools, but whether an inquiry should be had to ascertain if it were proper it should be introduced, and for this reason he was very much in favour of the Committee moved for by the hon. member for South Grenville. This was a matter which should engage the attention of the House. They had heard to-day that the Government proposed to spend a large sum of money to bring into this country a class of emigrants who did not believe in defending the country at all, and the hon. member for South Waterloo seemed to indicate that the people of that country showed a similar disposition. There was, therefore, the greater necessity, on the part of the whole country, to prepare for emergencies. He (Mr. SCATCHERD) was not one of those who believed that the defence of the country might not be necessary at some time, and for this reason he believed that an inquiry of this kind should be held in a time of peace.

Mr. PLUMB said he had been very much gratified at the able and comprehensive speech of the hon. member for South Grenville, and the comments which it had elicited. If no other result followed, it certainly would have a good result. He could see no objection to the appointment of a committee for that purpose, and he could not exactly agree with the hon. member for South Waterloo and his friend the political philosopher from Bothwell, who believed that the time was coming when it would be necessary to prepare for the defence of the country. He, (Mr. PLUMB,) did not think that the time of universal peace had arrived, and he thought, at all events, it might be well to increase the military knowledge of our people. Though he did not believe that the

proposed system of drill would be of very much service for the young, it would still give them some knowledge of military affairs. Beyond doubt this Parliament had control over the military organizations of the country, and he thought that in some way or other we might with perfect safety teach the young idea how to shoot, without subjecting those who might be in the range to being wounded by the practice. He had no doubt that manual exercise would improve the young, though camp drill would be out of the question. With the understanding that this Committee should merely make enquiries and suggestions he, for one, would like to see it struck. He was somewhat surprised to hear the hon. member for Bothwell say that the youth of this country should be taught self-assertion. For his part, he believed, that the difficulty lay directly the other way, and he was somewhat surprised to hear the hon. gentleman say that in Prussia the system of drilling young men early in life had brought about to a certain extent the adoption of an arbitrary system of Government. The establishment of arbitrary rules in Prussia was long prior to the training of the Landwehr.

Hon. Mr. VAIL said the House would conclude, after the remarks they had just heard, that much information would be necessary that they did not now possess before a conclusion could be reached on this subject. Hon. gentlemen had referred to the very great expense that the militia system was to the country, but he was very much afraid if this system were introduced without due consideration it would greatly add to that expense If he (Mr. VAIL) understood the matter, the first thing required would be an arrangement with Local Governments that the teachers employed in the common schools of the country should be qualified to drill the pupils. That would be necessary, otherwise the Dominion Government would be obliged to supply a drill instructor for each school. Arms and clothing would also be required and care taken to look after them. These alone would entail a large expense in addition to what the present system involved. After the remarks he had heard he thought the House would conclude to let the matter stand over until next Session.

Mr. OLIVER had a suggestion to make to the House, if the Committee should be appointed, and to the Government if it should not be appointed. It was evident from the remarks of the Minister of Militia that we need not expect a larger appropriation for this service this year than $1,000,000. It was impossible to drill 46,000 men—that was the number of volunteers on paper he believed—and to provide them with clothing and arms. That this number would have to be reduced to 25,000 was clear and evident. Now he believed that the Government ought to recognize independent companies in the various sections of Canada, providing them simply with their arms, leaving the men to provide themselves with clothing, and furnishing them with no pay for drill. In his own section of the country he knew the young men of the present time were most anxious to establish an independent cavalry company, and all they would require would be simply this — the Government to recognize them as a branch of the military force of the country, without paying for their drill or furnishing them with clothing, only providing them with arms. If no larger appropriation could be made than $1,000,000, and 46,000 volunteers were required, then it would be necessary to recognize such independent companies throughout the length and breadth of the land. With respect to military drill in schools, it was not a question for the Local Legislatures alone to deal with. It would be necessary to consult the municipalities also, for they contributed to the support of the schools. The people would be obliged to tax themselves more heavily than they did at present, and he was, therefore, of opinion that it would be impossible to carry out the recommendation of the hon. the member for South Grenville. Yet he could not see any harm the Committee could possibly do. They had merely to take the whole matter into consideration and make certain recommendations to the Government. If the Ministry should not see fit to act on these recommendations, the report would still be valuable to the people, and could be made use of in the future, if not at present. He hoped the Committee would be granted.

Mr. ROSS (Prince Edward) said this was a subject in which he had taken a deep interest for several years. After the

remarks of the Minister of Militia, however, he thought it might be left over till next year, though he could see no harm in granting the Committee. The present system was not satisfactory to the country, and he hoped there would be some changes made by the Minister of Militia this Session, before the Volunteers were called out again. He was glad to see that a large appropriation had been placed in the Estimates for the relief of loyal men who had defended this country in 1812. He was sure it would give satisfaction to the people, and that the Premier would receive the thanks of the people. There were many of the veterans of 1812 in his (Mr. Ross') own county who were now very old men. There were 600 of these men in this country still living, and $50,000 was not enough. He would like to see the amount doubled. He would refer to the question again when the Estimates came up. The present Volunteer system was not satisfactory to the country. There was not an adequate return for the amount expended on the Volunteers, and there were no such men turning out to drill now as those who went to the defence of their country a few years ago.

Hon. MALCOLM CAMERON said he was well aware he would find it difficult to get a seconder for the amendment he proposed to bring before the House. He would as soon think of teaching his child to drink whiskey or steal, as to be a soldier. He believed the tone of the world on that subject ought some time or other to change. Most people in this House, no doubt, professed to believe there would some day be a millenium, and so long as people believed there was necessity for fighting it would not come. His father had been a soldier and he (Mr. CAMERON) had as high an appreciation of his duty to his Queen and country as he had shown when it was absolutely necessary. But in this country, at least, we ought to be in favor of peace and universal brotherhood ; we ought to teach the doctrine we professed in our Christian religion, and not be constantly increasing the thought of war, the desire to fight, the idea that our children should be ready to resist and strike back blow for blow, to demand eye for eye, tooth for tooth, and blood for blood. The time had passed for that. He had told the previous Government, and stated in every contest in which he had been engaged, that the time had come when, owing to the peculiar situation of the country, our Government should endeavor to obtain a treaty of peace with Great Britain, United States and France. There was not a military man living who believed that Canada could be defended from the United States. Even if war took place between the United States and England, in which we were not concerned, Canada must be the battle-field. Was this a position in which we should be placed? The hon. member for Bothwell had referred to West Point. Perhaps our Military Academy might, like West Point, supply a training to young men who might head a rebellion to destroy the country. The time had come when the whole world was looking to the settlement of such disputes by arbitration. Our frontier was of such extent that it could not be defended in case of war, and we ought to place ourselves in such a position as we might at all times be neutral and not be involved in bloodshed. In contradistinction to his hon. friend's views, he would place a motion on the paper which he thought was more in accordance with the manner in which Christian Governments ought to act. He would move, seconded by Mr. FORBES, that all after the word "that" be struck out, and the following substituted:—

"That, so far from its being desirable that our youth should be taught in schools the art of war and a military spirit engendered, the doctrine of peace, love and universal brotherhood should be inculcated, and our Government would add greatly to its popularity if they would, by Ministerial delegation to the Mother Country, to the Government at Washington and the Government at Paris, to endeavour to obtain a treaty on the basis of decision by arbitration in case of any difficulty arising with any one of these powers, the same difficulty to be referred to a committee of four persons to be named by the other two."

Mr. COLIN McDOUGALL, (East Elgin), moved that the matter be left to the Government to be dealt with and that they be responsible for any legislation they might submit upon it.

Right Hon. Sir JOHN MACDONALD said this was a vote of want of confidence after the declaration of the Premier that he had no objection to the Committee. The necessity of Military drill was evident when they found a spirit of mutiny at headquarters. The hon. gen-

tleman was in rebellion against the Commander-in-Chief, and the Minister of Militia was at war with the Premier. On this occasion he (Sir JOHN) would follow the Premier.

Hon. Mr. MACKENZIE said he had no doubt the hon. gentleman would follow the Government, but was afraid they could not depend on him long. His (Mr. MACKENZIE'S) statement was simply this—if the hon. member desired to pursue the subject in a certain way the Government would not object to it, but he entirely agreed with the views of the Minister of Militia that it was of comparatively little use to have this Committee appointed, and of no use at all according to the views of some of the gentlemen who had spoken.

Mr. BROUSE in consideration of the request of the Minister of Militia was willing to leave the matter in the hands of the Government.

The Amendment having been withdrawn the original motion was dropped.

The House adjourned at six o'clock p. m.

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HOUSE OF COMMONS.

Tuesday, February 16th, 1875.

The SPEAKER took the chair at three o'clock.

Hon. MALCOLM CAMERON introduced a bill to alter and amend the charter of the London and Canada bank.

Mr. MOSS introduced a bill to change the name of the Imperial Building, Saving and Investment Company to that of the Imperial Loan and Investment Company.

Mr. IRVING introduced a bill to extend and amend the law requiring railway companies to furnish returns of their capital, traffic and working expenditure.

TRIALS OF CONTROVERTED ELECTIONS.

Hon. Mr. FOURNIER introduced a Bill to amend the Act respecting Controverted Elections. He explained that the object of the Bill was to prevent the trial of election petitions during any Session of Parliament. The first section provides that in the computation of any delay allowed for any step or proceeding in respect of any such trial, review or repeal, or for the commencement of such trial under the next following election, the time occupied by any such Session shall not be reckoned. The second section provides that the trials shall go on from day to day without adjournment. This was to prevent such delays as had occurred in many of the election trials; in a great number of cases the trials had not yet been fixed.

Hon. J. H. CAMERON asked if the Bill contained a provision fixing a certain time when proceedings must be taken or the case dropped; because if it did not it should. Nothing could be more unfair than the law as it stood. A petition might be allowed to remain standing one, two or three years, according to circumstances and never brought to trial. He thought as the Hon. Minister of Justice was going to amend the law, it would be as well to give some attention to this particular point, in order that there might be a clause inserted requiring the petitioner to proceed or drop the petition. There were now cases a year old that had not been pressed. Instead of providing that trials should not go on during a session of Parliament, it would be better to require a petitioner to proceed whether Parliament was sitting or not, or drop the case. He hoped the Hon. Minister would consider this point.

Hon. Mr. FOURNIER said the Bill did not contain such a provision, but he would be very happy to receive any suggestions the hon. member might wish to offer.

The Bill was read a first time.

SUPPRESSION OF GAMING HOUSES.

Mr. MOSS introduced a Bill for suppressing gaming houses and for punishing keepers thereof. He said he had the honour last session of introducing this Bill, but at so late a stage of the session it was impossible to make sufficient progress. He desired to re-introduce it this session, and he thought that the propriety of the legislation asked for would commend itself to every member of the House. It was sought by this Bill to give power to Police Magistrates and Commissioners of Police in a city or town, upon receiving a report, to authorize constables to enter any house, with force if necessary, that was reported as being a common gaming house; and subsidiary provisions were introduced into the Bill for the purpose of enabling this object to be carried into effect. The Act, as he explained last session, was adapted

from the Imperial legislation on this subject, with some modification. He thought it was only proper to mention that the question had been raised as to the constitutionality of this act. It had been stated that some provisions, at any rate, which he desired to embody in the Act, were rather in the scope of Local than of Dominion legislation. He understood, though he had not had an opportunity of communicating with himself, that the Attorney-General of Ontario had expressed the opinion that legislation on this subject should be initiated in this House.

The Bill was read a first time.

FELONIES AND MISDEMEANOURS.

Mr. McDOUGALL (East Elgin) moved for leave to introduce a Bill for the more speedy trial in certain cases of persons charged with felonies and misdemeanours in the Provinces of Ontario and Quebec.

Mr. SPEAKER said the hon. member had not given the necessary notice of his motion.

The motion was allowed to stand as a notice.

THE BUDGET.

Hon. Mr. CARTWRIGHT, in moving the House into Committee of Supply, said :—

Mr. SPEAKER,—It is always a matter of some interest, after any considerable changes have been made in the tariff to examine how they have affected the year in which they occurred or succeeding ones; and probably on the present occasion somewhat more than usual interest may be attached to that subject, because those changes, as the House knows, were of rather an important character. It will also be my duty, on the present occasion, to give the House some explanations with regard to the loan negotiated last June in London, and I propose to take advantage of this occasion to briefly review the general financial position of the country, and to explain the mode which the Government think ought to be adopted to meet the very serious obligations in which we are involved. Now, Sir, as the House has been in possession of the Public Accounts since the first days of the Session, and as the Estimates do not require, I hope, any very great time to enable hon. members to understand them, I shall proceed without further preface to briefly review the condition of the financial year ending 30th of June, 1874. Perhaps for convenience it may be as well, instead of adopting the somewhat cumbrous form of "1873-74," to say when hereafter I refer to any year, "I mean the financial year terminating on 30th June, in the year named." Now, Sir, if hon. gentlemen will refer to that page of the Public Accounts containing a comparative statement of the receipts and expenditures from the commencement of Confederation to the present time, they will observe that in the expenditure for 1874 a total sum is set down of no less than $23,316,000 in round numbers, being an excess of about $4,140,000 over the expenditure of the year preceding. It will be well that I should enumerate the causes which have led to that very large and remarkable increase. These, Mr. SPEAKER, placed in round numbers before the House, are as follows : In the first place, an augmentation took place in the charges on interest on debt to the extent of $500,000. In the next place, owing to the admission of Prince Edward Island into the Union, our annual charges were increased nearly $600,000. The assumption of the Provincial debt, and the subsidy granted to New Brunswick, in *lieu* of export duties on timber, amount together to $850,000, while the additional expenditure incurred for the proper maintenance of the railroad system of the Dominion involved no less a sum than $900,000. While I am on this subject I may as well state that the Government have carried out, as they declared they would, during last Session, the policy of charging to Income Account everything that properly belongs to the maintenance of these railways. On this subject I may have something to say further on, but for the present I shall content myself by merely adverting to the circumstance. Then there were statutory increases, increases of indemnity to members, and other subjects of a similar character, which required $400,000. The item of elections involved an expenditure of nearly $200,000. The North West Mounted Police, $200,000 ; Indians, and similar purposes, $100,000; Post Office, $300,000, and various other miscellaneous charges, $200,000, making a total of $4,250,000, which represents, and a little exceeds the increase to which I have called attention.

And this increase, Mr. SPEAKER, is specially noteworthy, because, as the House will see the great portion of it is in what is called statutory charges, over which the House has no further control, and for which this Government and all future Governments will have to make provision. Turning to the other side, the House will perceive that the total receipts from all sources amount to $24,200,000; being an increase over the preceding year of $3,400,000; leaving, therefore, a nominal balance of $880,000 to the credit of the past year. It may be as well that I should mention, however, that in this nominal balance are included two sums, one of $166,000 received from Ordnance lands, which was paid late in the year, and is to be treated as a casual rather than an ordinary item of revenue; and another of $45,000, which was returned us by the British Government, but which, together with a much larger sum, will have to be defrayed from the expenditure of the current year on account of the Boundary Survey. In fact, it is a mere cross entry, which, strictly speaking, should not have appeared in our accounts at all. The net balance, therefore, according to my computation from revenue sources, amounts to about $650,000. Now, sir, I propose to devote a short time to explaining somewhat in detail the effect of the recent tariff changes in creating this revenue. I dare say the House will remember that in my Budget speech last year I made these several statements: I stated to the House that unless it consented to impose considerable additional taxation, there would be a serious deficit between the expenditure and the revenue for the past year. I said also that if the sums estimated for by Mr. TILLEY were to have been expended last year in addition to what we knew was about to be expended, the Estimates for the year 1874 would have amounted to $24,100,000. I stated also, that, to the best of my judgment, the House must make up its mind for a temporary pause in the advance in our imports, and particularly our dutiable imports; but I added if the House were willing to give to the Government the supplies they demanded, I had no doubt those supplies would be ample, not only to meet present expenditures, but to make provision for our future liabilities. I shall proceed, Sir, to give to the House, *seriatim* the proof of the accuracy of these statements. The one to which most attention will probably be directed is the statement made by me that there would be a considerable deficit last year, but for the alteration of the tariff. If the House will look at these statements—I allude to the comparative statement of receipts and expenditure—the House will observe that in the two main items from which our real revenue is chiefly derived,—customs and excise,—there is an increase for 1874 of no less than $2,550,000 in round numbers. Of that increase, as I shall presently show, no less than two millions of dollars, are directly attributable to the operation of the recent tariff. In turning to the Trade and Navigation returns for the past year, the House will observe that the total volume of imports into this country was a little less for 1874 than it was for 1873, the exact figures being $127,500,000 for 1873 as against $127,400,000 for 1874. Now, Sir, if the House will further turn to what are known as dutiable goods, imported into this country during those years, they will find that the total volume of dutiable goods imported into the country in 1874 was $76,232,000 as against $71,409,000 imported in 1873, being an apparent difference therefore in favour of the past year of $4,800,000, in round numbers. From this sum is to be deducted, in the first place the sum of $400,000, being the excess of imports into Manitoba under the four per cent. tariff, and therefore involving so small a sum of money that it in no degree affected the real comparison. Of the remaining four and a-half millions excess, or apparent excess of dutiable goods, about one and one-half millions are due to the admission of Prince Edward Island into the Union; and of the remaining three millions, one and one-half millions were caused directly by the removal from the free list, under the recent tariff, of certain goods, as any one can see on examination of the tables; and the remaining one and one-half millions was anticipated in consequence of the expectation that new duties would be imposed, and was, in fact, borrowed from the revenue of 1875 in advance to make up for the deficiency of 1874. My allegation is, therefore, that of the sum of $2,550,000, the excess in customs and excise, no less than $2,000,-

000 are due directly to the new tariff, the difference of $550,000 being accounted for partly by the admission of Prince Edward Island, and partly by the regular increase which might have been expected in the Excise Department. Now, Sir, although I do not regard this point as one of very great importance, for the simple reason that the taxation was imposed not so much to meet a deficit in the year then nearly expired, as to provide for future engagements, it may be as well to give some still further corroborative proofs of that previous assertion. Now, in the first place, if we choose to compare the importations for the eight months ending the 28th February, 1873, with the same time of 1874 before the new tariff had any effect on the importations, we shall find the total of dutiable imports for 1873 amount to $44,400,000, as against $45,576,000 for 1874, being a difference in favour of 1874 of $1,170,000 in round numbers, almost all of which is due to the admission of Prince Edward Island. Or taking another form of proof.—Take the ten days' statements of the money paid into the exchequer from the first to the tenth of April, and from the tenth to the twentieth of April, of 1873 and 1874, and we have these results—(I am including both customs and excise):—In 1873, between the first and tenth of April, we received $515,000. In 1874 we received $1,375,000 during the same period, being a difference in these ten days of $860,000. In the succeeding period, up to the twentieth of April, as against $336,000 in 1873, we received $1,171,000 in 1874, amounting to a difference of $835,000 in these two periods of twenty days, or rather two periods of ten days. We gained as nearly as possible $1,700,000 under the operation of the new tariff. As I have said, the House will remember that this was to a certain extent borrowed from the revenue of 1875. The remaining two or three hundred thousand dollars are much more than accounted for by the operation of the tariff, as evidenced in these tables. With respect to my second statement, that if the sums estimated for by Mr. TILLEY had been expended in addition to those which we knew would be expended, the estimates must have reached at least $24,100,000, very little explanation is needed. The House is aware that the estimate of the sums expended in Public Works chargeable to income falls short of that estimated by Mr TILLEY, by no less a sum than $624,000. The House is also probably aware that the sum of $250,000 demanded by him for working the Intercolonial Railway was not expended, and the further sum of $40,000 on account of boundary survey is not charged in last year's account, although the money has actually been expended, and will have to be paid this year to the British Government. These three sums combined exceed $900,000, and the House will therefore see that I was within the mark, and not above it, when I stated to the House that those estimates would not exceed $24,100,000 on the presumption stated by me. Now, with respect to my further statement that there was a strong probability that there would be a pause in the volume of the general imports of this country for at least two or three years, the House need only turn to the Trade and Navigation Returns to see that that statement has been literally verified. The total volume of trade for 1873 amounted to $127,500,000. The total volume of trade for 1874, even remembering that Prince Edward Island is included, only amounts to $127,400,000, being a falling off in the total volume of trade of $100,000. The apparent increase on dutiable goods I have already sufficiently explained. I have in my hand a statement recently given me by the Commissioner of Customs, showing the exports and imports for the six months of the current year as compared with those of the six months ending on the 31st of December, 1873. The result of these I will briefly read to the House. During the half year ending the 31st December, 1873, our total exports amounted to $57,251,000. During the six months of the current year, our total imports appear to have amounted to $53,357,000, being a decrease, I am sorry to say, of nearly four millions. Of articles entered for consumption our total imports amounted to $71,068,000 in 1873, and in the corresponding period of 1874, the total imports amounted to $69,588,000, being a deficit of about one million and a half. This I want the House to bear in mind is partly explained by the fact that we have virtually borrowed a portion of the revenue of 1875 for the benefit of 1874. With respect to the fourth statement made by me

—that if the House consented to grant those supplies for which we asked, we did not think we would be likely to call upon them for further supplies—I will reserve any further comment until a later period of my remarks. I may, however, take this opportunity of stating briefly that so far as we can now judge, I have no reason to believe that the estimates I made of the probable receipts for 1875 will fall short. Up to the present time the Estimates have corresponded very nearly with the Estimates made by me, and possibly they may be slightly exceeded, although it is too soon yet to form any correct idea of the trade movements during the remaining portion of the year. As regards the expenditure for 1875, I think my hon. friend beside me (the Minister of Public Works) may be able to make a considerable saving in those two large items, namely, public works charged to income, and the maintenance of public works ; but on the other hand, I am afraid I shall be obliged to bring down certain Supplementary Estimates, it being scarcely possible for any Department, however vigilant, to avoid incurring some such Estimates in a period of nearly eighteen months. With respect to the Estimates submitted by me the other day, having reference to the probable expenditure for the ensuing year, the House will observe that the sum total chargeable to income is estimated at $24,857,488, being a trifle less than the sum estimated last year, which amounted to $24,883,000, a certain portion of the sum placed on the Estimates being carried forward. Now, if hon. gentlemen will refer to those Estimates, they will see that we have been obliged to ask for considerable increases in the following services : In the first place, recent negotiations in London have required an increase in the interest on the public debt to the amount of $182,-344. In the next place, the Post Office Department will demand an increase of somewhat over $200,000, combining in that statement the sum demanded under the head of Post Office, and a considerable charge which will also be required under the head of Civil Government. For Menonite Loan, which was alluded to by my honorable friend the other day, and which I fully expect will be returned to us, we will require a further sum of $100,-000. For Dominion lands, in consequence of the demands being constantly made upon us in that direction, we shall be obliged to ask the House to give us this year $200,000, instead of $100,000. For the Philadelphia Exhibition we have been obliged to put a vote of $40,000 in the Estimates, and for an object which I think the House will not grudge, namely, the rewarding of the few remaining veterans of 1812, and for this purpose we ask for an increase in the pension list of $50,000. In addition to these, customs and the administration of justice will require an augmentation of about $70,000. The increase in the case of the Administration of Justice is almost entirely statutory, and will require no explanation from me. The increase in the Customs Department, I may say, is largely due to my hon. friend, (the Minister of Customs) having determined to give the merchants in large cities exemptions from certain vexatious dues which are not enacted, I understand, from those in the smaller towns. Then there are several miscellaneous services amounting to $80,000, which we hope will be repaid by fees, as hon. gentlemen will find stated if they will refer to the particular Estimates, to which I am now alluding. For Indians, we will require, in consequence of the recent treaty, an additional grant to the extent of some $35,000 ; and a similar sum will be required for the reorganization of the North-West, in respect of which the Minister of Justice is about to propose a bill to the House. These I think cover all the increases of any moment to which I will call your attention in these Estimates. On the other hand, the House will see on reference to the item of Public Works, and buildings chargeable to income, we propose a reduction of $309,000, and on Public Works under the head of " Collection of Revenue," we propose a reduction of $488,000, which two sums contain in conjunction with the savings on Military Stores (the last of our instalments to the British Government having been paid off last year) enables us to bring down our Estimates with a slight reduction. I may remark with respect to these Estimates, that there are several of the sums which, from the nature of the case, will not need to be asked for again ; as, for instance, the grant to the Menonites, the grant to the Philadelphia Exhibition, and probably the grant that we make to

the veterans of 1812, they being almost all of them men of seventy-eight or eighty years of age, and, therefore, not likely to remain long a burden upon the finances of the country. As regards the Post-Office, my hon. friend, when these items come before the House, will give more detailed explanations than I am at present in a position to give. I may say, generally, however, that partly in consequence of his convention with the United States; partly on account of the increased facilities which he proposes to give in regard to postal matters, he will be obliged to decrease his revenue or increase his expenditure to the extent of about $150,000. With respect to the Post Office Department, I may further say that although the expenditure is always considerably in advance of the revenue, yet it is to be remembered that the revenue increases from time to time, and I am in hopes that in the course of a year or two the receipts from that source will very nearly, or probably quite counterbalance the expenditures we are obliged to incur. As regards the estimate of our probable receipts for the year 1875-76, I may say that I make them as follows:—From Customs I think we shall derive something like fifteen millions and a half, provided no check occurs to the general volume of trade. From the Excise I estimate we will derive a further sum of five and a half millions, amounting to about twenty-one millions. From Stamps I estimate the revenue will be about $250,000. From the Post-Office I am afraid I must expect this year something like $1,050,000, instead of $1,011,000, the first operation of these changes being to cause some reduction to the receipts, although I think they will ultimately increase the revenue. From Public Works I hope to receive something like $1,700,000, and from the other sources—interest and investments and from casual receipts—a little over one million of dollars, making a sum total of twenty-five millions and a quarter, or thereabouts. Now, Sir, turning to the formidable item of capital account, which altogether will amount to no less a sum than $14,717,000, I may briefly say that a very large proportion of this expenditure is, from the nature of the case, not likely to be repeated. For example, I hope next year that we will see the last of the Intercolonial and Prince Edward Island Railways, as far as capital expenditure is concerned. The same remark will apply, probably, to the extension of the railway into Halifax and to a very large part of the expenditure taken for the Pacific Railway, which the House will see is no less a sum than $6,250,000. It is not likely that either the charge for the construction of telegraph lines or for steel rails, and, indeed, for a portion of the remaining charges will require to be repeated next year. With respect to canals, so much depends on the success of the contractors in prosecuting these works with expedition, that it is impossible for me to say how much my hon. friend (Minister of Public Works) will be able to spend on that head. The House is fully aware of the practice of this department of bringing down estimates of all that can by any possibility be spent within the current year. I have suggested to my hon. friend, and I repeat the suggestion to the House, that it may be worth consideration, in view of the fact that these Estimates within my memory have always been by the practice of the department largely in excess of the sum actually required, whether the House would not permit us largely to reduce these items with the understanding that when the work has actually commenced, and the sum which is about to be expended has been fairly stated to the House, in case of need further sums should be taken. In practice no doubt this is very often done. My objection to the present state of things is simply this: That to a certain extent it affects our credit abroad when it is found that we bring down these very large Estimates of amounts which are not likely to be expended during the current year. However, there is no doubt that during the year 1876, a larger proportion of those Estimates will probably be expended than has been customary. I throw out the suggestion for the consideration of hon. gentlemen opposite, who are bound to check any unconstitutional proceedings of ours, and if they will concur, perhaps the House will allow us on future occasions to pare down these Estimates of capital account much more than we can do at present. I will now proceed, Mr. SPEAKER, to give the House explanations with respect to the loan of four millions sterling recently

negotiated in London. But, perhaps, before I proceed to do so, it may be well briefly to state to the House what has been done with the funds realized therefrom. That loan being placed at 90, realized the sum of about seventeen million and a half dollars, the gross amount being nineteen and a half million dollars, or four millions sterling, and the net proceeds being, as I have said, a little over seventeen and a half millions. Now, Sir, what we propose to do with these funds is briefly this: We propose to pay off ten millions of the public debt, including the grant to the *Seigneurs* for compensation; and the remaining seven and a half millions we intend to apply to any public works that we may undertake. Possibly, to prevent misconception, I should rather say that the loan is to free other funds in our hands applicable to such purposes, because as the loan was made for public works, it is well to observe that the money does go *bona fide* to public works, although practically the result is as I have stated. Now, as these seventeen millions and a half cost this country $778,000 a year, and as the ten millions of debt which we propose to pay have cost us 6 per cent., or $600,000 a year, the result of the operation is that we get seven and a half millions on hand without increasing the charge on the revenue more than $178,000. In other words, to put the matter in a more concise shape, if the House would permit me to invest that money at the ordinary rate which we receive for deposits, we would be the gainer by the transaction to the extent of $200,000 a year. Now, with respect to the loan itself, as far as I understand, three objections have been taken to it. First, as to the expediency of borrowing at all upon our own credit; secondly, as to the expediency of borrowing so large a sum; and, thirdly, as to the terms of the loan. With respect to the first point, I may say the Government had a good deal to consider before they determined on borrowing on their own credit. No doubt it would have been very easy to make the loan on the Imperial guarantee, but it must be observed that had we done so we would have lost a very favorable opportunity for negotiating a loan on our own credit which might not return again, and—what I consider of more importance—we would have lost the control of the market to a certain extent, that is to say we would have lost the power to go to the English market as borrowers at such times as are most convenient and suitable for ourselves. Moreover, I think it would have placed us at a certain disadvantage with the Imperial Government and British Columbia if we had asked for the Imperial guarantee while there was any dispute between ourselves and that Province as to the construction of the Pacific Railway. For all these reasons I advised my colleagues, and they accepted the suggestion, that we should avail ourselves of the opportunity for negotiating a loan on our own undivided credit. As to the amount of the loan, I may remark that it is not quite so large as it appears. A loan of four millions sterling at 90 only amounts to about three and a half millions sterling or seventeen and a half million dollars; and although I would have been glad, other circumstances being equal, not to have placed so large a sum upon the market at once, yet bearing in mind that I had very good investments for the money if I got it, and also bearing in mind that it was absolutely imperative on me to borrow, inasmuch as six millions of debt was maturing, and had to be paid, and inasmuch as a large steady expenditure on capital account is steadily going on, I felt it was absolutely necessary to borrow, if we had a good opportunity, enough to meet these demands, more especially as Canada had appeared in the English market in 1873, and if I appeared in 1874 and then again 1875 I had the best reasons for believing that such a course would have been seriously prejudicial to the interests of this country. Now, Sir, coming to the loan itself, there are three standards of comparison by which the House can fairly judge of the merits of the transaction. They may if they choose take the price of English three per cents. They may also take the price obtained by Mr. TILLEY with the Imperial guarantee in 1873; and they may take the price obtained by other borrowers in the English market. Now, with respect to the first of these standards of comparison, I may say that at the time I was negotiating this loan the price of new consols, new English Three per Cents, was almost exactly the same as that at which our Four per Cents, were floating. The price of old consols it is true were higher, but

these, as the House is aware, are maintained at their present rate by causes to which I need not refer. Consols, therefore, are hardly a fair standard of comparison, but as the comparison has been used, I thought I might as well refer to it. With respect to the price obtained for the loan, if hon. gentlemen will compare that loan at 4 per cent. at 90 with the loan negotiated by Mr. TILLEY under the Imperial guarantee at 104, on which I beg to state the allowances taken altogether were fully equal to those made by me, they will find that the difference of interest in the two loans is just twelve shillings per cent. per annum, and the difference, making allowance for premium and discount, amounts to 4 shillings per cent. per annum, consequently the difference between a loan on our own undivided credit and one on our credit joined with the Imperial credit amounts to just sixteen shillings per cent. per annum, or in other words we placed our loan within four-fifths of one per cent. of the loan with the Imperial guarantee Now, in order that the House may fully understand the exact position, I will refer to a statement I have here of six loans negotiated by six nations of the very highest standing in the English Stock Exchange. The first was negotiated by Belgium in 1874, a very few months before I appeared in England. This was a three per cent. loan issued at 75½, but at the time of my arrival in England had fallen to 73. The second was a Brazilian 5 per cent. loan issued in 1871 at 89. The third was a Danish 5 per cent. loan issued at 94¼. The fourth was a Dutch four per cent. loan issued originally at 82. The fifth were Russian five per cents. which were issued during the past six or seven years previous to 1873, and ranging at various prices, one large loan in 1866 being at 86, another in 1873 at 93. The sixth was a Swedish five per cent. loan issued in 1868 at 90. I may remark that in all these cases I believe these loans not only included a heavy sinking fund, but also allowances quite equal to those made by me. Now—I speak under correction, because I am aware that although I have been at some pains to investigate the authorities on the subject, I may be deceiving myself in the statement I am about to make—I think that this general result is apparent, namely, that the loan which was placed in the English market last June was obtained on better terms than any other loan of equal amount for the past twenty years. I believe that there was one foreign loan —the Belgium three per cent., to which I have alluded, and which was only to the amount of one million sterling, while ours was three and a half millions—which was obtained at a shade better terms, and when I state, as I have stated, that our loan was placed on the market at less than one per cent. of what was charged with the Imperial guarantee added, I think I may reasonably say that the Dominion of Canada has no reason to be ashamed of the position in which it stands in the English market. There is another point on which issue has been taken by gentlemen opposite. We have been condemned, I think unadvisedly, for electing to issue this loan at a discount. Now, if there is one principle of finance which is better established than another, it is this —that it is almost impossible to obtain as good a price in proportion for a loan issued at a premium as can be obtained for loans issued at a discount. I need not enlarge upon the reasons that cause investors to prefer such loans. Suffice to say that the fact is notorious, and if further proof of it is wanted, it will be found in the fact that all these States to which I have alluded have preferred to issue their loans at a discount, as I did. I have not alluded to the issues of France and the United States, because great as the resources of these countries are, and high as their credit usually stands, they are debarred for many causes from any fair competition at present. I may remark, however, that the State of Massachusetts, which, as the hon. gentleman knows, has always commanded a high position in the English market, issued its five per cents. at the rate of 87 in 1870, and 91 in 1871. They appear to have been redeemable in 1891. Taking the whole list of investments as set out in the usual authorities, I think—although I am open to correction on that point—that the statement I made is literally correct, namely, that no loan has been floated on the English market of equal amount on such favorable terms within the past twenty years. Moreover, in considering the situation it must be borne in mind that no *bona fide* Canadian loan on our own

credit had been issued since the loan raised by Sir ALEXANDER GALT in 1860, except one small loan of £500,000 negotiated by Sir JOHN ROSE under peculiar circumstances. It must also be borne in mind that the great number of foreign loans now pressing on the English market has caused an increase in the rate of interest even as regards securities of the first-class, as any gentleman will find by referring to the share list, and more particularly to the price of consols during the last twenty or twenty-five years. According to the computations made by persons entitled to respect in these matters, notably, I believe by Mr. DUDLEY BAXTER, it appears that no less a sum than two thousand millions sterling have been added to the national indebtedness of various nations in the English Stock Exchange within the last twenty years. Moreover, it may be as well to call the attention of the House to the fact, as bearing on the advisability of choosing our own time for placing our loans on the market, that the English Stock Exchange is an extremely fluctuating and sensitive body. How fluctuating it is may best be known by the simple statement that within a short period the prices of consols, although artificially kept up, varied from six to ten and twelve per cent, within a single year. It would be apparent, therefore, to the House, that in addition to doing all in our power to maintain our credit, which is essential in the English market, we must also be in a position to choose our own time for putting our loan on the market, and unless we do so, no matter how good the financial condition of the country may be, we may be required to pay more than the rates we have been previously paying. I may also remark, though this is merely a suggestion for the present, that I believe it would greatly conduce to the advantage of Canada if we could consolidate the various securities which are now bearing several rates of interest, into one consolidated Canadian stock. Some steps have been taken which, I hope will ultimately result in achieving that desirable end.

Hon. Mr. TUPPER—What rate has the hon. gentleman fixed for the Sinking Fund?

Hon. Mr. CARTWRIGHT—One-half per cent., The Sinking Fund, I may remark, in Mr. TILLEY's loan is one per cent., and, therefore, the former transaction is a little more favorable to us than would appear at first sight. My hon. friend knows that a Sinking Fund at one per cent. means a much earlier payment than a Sinking Fund at one-half per cent. And now, Mr. SPEAKER, I desire to review the present financial position of this country with reference to the engagements to which this Government and the country at large is committed. That position is one of a very peculiar character, as hon. gentlemen will readily perceive. I shall begin from the 1st July, 1874, and lay before the House a short synopsis of our financial engagements down to the year 1884, that being the period at which most of our loans now current will mature. Our position is peculiar, because, in addition to being committed to very large engagements that properly are chargeable to capital account, and which are in the nature of a debt incurred by treaty, owing partly to the Confederation, and partly to other engagements which we entered into, it will be necessary to expend some sixty or sixty-five millions of dollars during the next ten years on capital account, and we will, therefore, require to make provision for a sum of $125,000,000 during the ensuing ten years. I desire to lay before the House a sort of summary of the mode in which I think that these heavy engagements will be met. Starting from the 1st of July, 1874. On that date, taking into consideration the loan and other assets—though the loan was not all paid up at that date—we had in cash some $25,000,000. Of course, by this time most of that money has been expended in the way indicated, but we still have enough to carry us through the financial year ending the 30th day of June, 1876. In addition to the $25,000,000 we have the English guarantee fund amounting to about $20,000,000. We may also count the sinking fund applicable to that purpose, which cannot be less than $5,000,000, and I think that during those ten years we shall probably borrow from our own people, through the medium of savings banks or other miscellaneous sources, about one million of dollars, annually, amounting in all to about ten millions more. If the House coincides with me in the opinion that it will be wise and prudent, with these heavy engagements, to maintain a steady, moderate surplus, we will have another million per

annum, amounting to ten millions more. Of the total $125,000,000, I already see my way clear to provide $70,000,000 in the way indicated, which would leave some $55,000,000 to be borrowed on our own individual credit. The House will understand that twenty-five or thirty millions of this amount may be paid at our option, but there are many reasons why we should pay the whole as it matures. This sum is the loan negotiated by Sir A. T. GALT. The House will therefore see that it will be necessary to borrow $75,000,000, (including the English guarantee,) within the next nine or ten years; in other words, it will be necessary for us to appear in the English market as borrowers four times at least during that period. If we succeed in borrowing that sum at the rates which have been recently established, the results will be as follows:—$125,000,000 borrowed at an average of four per cent. would cost $5,625,000, from which we deduct five or six per cent. interest on $65,000,000, (that being the amount of the old debt maturing), which would be $3,600,000, leaving an additional burden of $2,025,000, per annum. We will further deduct from this the sum of $750,000, representing interest on the Sinking Fund and on the surplus, which I propose to secure as part of our assets. This would give the total of the additional interest for which we will have to provide, if the House does not rush into fresh entanglements and engagements at $1,250,000. Now, I have no doubt whatever that the resources of this country will be ample to meet that additional demand on us, though for reasons frequently stated by me from my place in this House, I am not willing to add to the permanent debt of the country in the shape of interest any more than I can help. But in order that we may obtain these several loans at a cheap rate several things are requisite. We must enjoy some moderate progress, which I have no doubt will take place. I am not going to reflect on the action of my predecessors, but I will simply state as a matter of fact that I found that the manner in which they entered into the Pacific Railway engagement was a serious obstacle in the way of placing a loan on the English market. We must arrange our engagements in such a manner as to be able to obtain the full and complete control of the English market so as to secure our own time for borrowing. That is the reason why I am so anxious to retain the Imperial guarantee by which in case of need we can obtain a loan under almost any conceivable circumstances. Now, if I do not lay very much stress on the probability of a great increase in the revenue from the natural growth of the country, it is because, as every hon. gentleman knows, this country as it grows and increases in prosperity will require considerable additional expenditures, and though I hope we will always maintain a moderate surplus, a considerable portion of our natural increase must go to meet contingencies which, in a country like ours, are inevitable. There can be very little doubt that to maintain the portions of the Pacific Railroad which will be constructed will entail a considerable expenditure, and there will also be a considerable outlay in settling with the Indians in the North West, and maintaining government in that region. No doubt a certain portion of this expenditure may be fairly looked upon as productive, in the sense of bringing back into our coffers some return for the moneys expended, and I may add that of all the schemes submitted to this House, I believe that proposed by my hon. friend the Premier, for opening up that fine and considerable tract between French River and the Ottawa Valley, is the one which on the whole is most likely to add to the paying productive population of the Province of Ontario. I hope also that our merchants will be successful in finding new fields of trade which will partially compensate them for that which they have failed to obtain with the nation on the other side of the line. My advice is in view of those numerous contingencies which always occur in a country like this, that we ought to consider the natural growth as a fair offset against the inevitable expenditures which must occur in the Dominion. It is not necessary for me to spend any further time in reviewing the volume of our exports and imports. I do not consider that it is any proof that a country like ours is retrograding in any way, because there is a check to the imports. Many authorities who were entitled to great respect, state that we have rather overstepped the mark in our progress in this direction, and I look upon the check to our imports more as an indication of greater prudence in the man-

agement of our commercial affairs than anything else. Moreover, a certain portion of this falling off is due rather to the decline in value of certain articles of consumption, than to any decrease in the quantity consumed. On the whole, no branch of our trade and commerce, with the important exception of the trade in lumber, seems to have suffered, and the excellent harvest with which we have been favored during the past year will have a very favorable effect, encouraging and inspiriting every portion of the community, mercantile as well as the agricultural. There is a large portion of our imports heretofore caused by the extensive railway improvements in the Province of Ontario, and according to the statement made by the Treasurer of Ontario, in his place in the Legislative Assembly of that Province, the increase in the expenditure of the Dominion can hardly be expected to do more than compensate for the large railway expenditure which occurred in Ontario during the last four or five years. According to the statement of that hon. gentleman upwards of $30,000,000 had been, or were about to be expended on the construction of railways in that Province alone, giving an average of six millions per annum, which, I hope, will be of such nature as to largely aid our production in that region; but it is evident that for the time being the annual expenditure on the Pacific Railway and other works, which will be about six millions on the average, will not do much more than make up for the cessation of this expenditure in the Province of Ontario and elsewhere. I do not doubt, myself, in the least that great ultimate benefit will flow to that Province from the expenditure to which I have alluded, but I am aware, as other hon. gentlemen are aware, that the immediate results are not likely to be great. The benefit, when it comes, will be solid, and it is to be hoped it will be very considerable and permanent. To those hon. gentlemen who consider that the very rapid increase of our importations from 1868-9 to 1872 is a fair proof that the increase is likely to continue after the present temporary panic has passed, I would beg to observe that on looking over the importations of the United States during the past sixty or seventy years they will find, as a rule, that any rapid period of expansion was almost invariably succeeded by a long period of comparative inaction. Now, as this is a point of some little moment, I may be permitted to call the attention of the House to the fact that whereas in the years between 1832 and 1836 the imports of the United States increased, almost as ours have done, from one hundred millions in 1832 to one hundred and eighty-nine millions in 1836; that after attaining that figure in 1836, no less than fifteen years elapsed before they again reached that sum, it was not until 1851 that imports to the United States attained the proportion they had arrived at in 1836, and that, too, in a period of great prosperity in that country, and though the population in the same interval had increased from fifteen millions to nearly twenty-four millions in 1851. I do not anticipate the same results here, but it is my duty, if the House, or any members of it, choose to assume that the fact of a rapid increase in the past is necessarily a proof that an equally rapid increase is to be looked for in the future—to call attention to the fact that that great country though it increased in essential prosperity in all respects in that interval remained without any great increase taking place in its imports for a period of no less than 15 years. The House will therefore see that the problem before us is of a complex character. Not only have we to provide for a considerable number of heavy annual engagements, but we have also to meet promissory notes, if I may so term them, maturing at different dates over a long term of years. Therefore it is necessary to keep stronger than if we were simply dealing with the ordinary annual expenditure, or if any other expenditures we were about to incur were strictly within our own control. I may here allude to the statement made by the hon. member for Kingston in the debate on the Address. He said that I remarked that I would be prepared to reduce taxation during the course of the year. I beg to state that was not what I said, as you will see on referring to my speech of last year. I stated that I did not think if those supplies were granted it would be at all necessary to come before the House again for special taxation. Now, sir, I am not aware that there are any other points of interest upon which hon. members will require explanation. If there are, I shall be glad to give them to them either now or at a later stage in

the evening. I think we may very fairly congratulate ourselves that our financial position has materially improved since last year. All immediate demands, which were considerable, have been fully met; there are no pressing claims upon us, with the exception of those for public works, for at least a year or two; we have a reasonable surplus on the transactions of last year; and I have every reason to believe that we shall also have a reasonable surplus on those of the current year. It may also be added that we have so far made no inroads upon that valuable reserve, the Imperial Guarantee. We have completed the Intercolonial Railway and the Prince Edward Island Railway, and are therefore free to turn our energies and attention to the task of enlarging and improving our canals and constructing the Canadian Pacific Railway. We have succeeded in making such arrangements with British Columbia as, although involving us in very considerable liabilities, are yet quite within our power to perform. Although many of us thought from the beginning that the demands made upon us by that Province were unreasonable and unduly onerous, we are nevertheless prepared to discharge our obligations fairly, provided they can be brought within due bounds. I have no doubt, therefore, that, if we persevere in the course I have indicated, in a very short time we shall be in a position of the highest credit. Still, for the next ten years we must be prudent, and we ought not to rush into other engagements until we have fairly disposed of those for which we are already responsible, though with this proviso I am well convinced that unless some misfortune overtakes the commerce of the country, for which we cannot reasonably look, we shall be able, financially, to give an honourable account of ourselves in the future. One thing we may fairly say, that the sacrifices which we are called upon to make, if sacrifices they may fairly be called, are such as we are asked to make, not from a selfish point of view, but in the interest of the whole of the Provinces of the Dominion. We have chosen to take upon ourselves a truly Imperial task—a greater task than was ever undertaken by a nation of our age and resources—that of colonizing and developing a most enormous extent of country, not so much for our own benefit as that of generations to come. Although I believe that to a certain extent we must make up our minds to forego other improvements of great present value, I also believe that it is better we should do so in order to meet the obligations to which I have referred. I believe that every man who has paid any considerable attention to the question of the future of Canada, will be prepared to admit that with us it is a struggle for the possibility of carving out a distinct national existence. This object is truly one for which we may sacrifice something, and one which I know we will not shrink from sacrificing something for if necessary. It will be the object and the interest of the Government to see that we shall be prepared to attain it without making the sacrifice unreasonable and not beyond due bounds. Perhaps it is as well that we should be thus called upon peaceably to do that other nations have had to do by means of wasting war. Great benefits will arise, not only to the present generation from the prosecution of this great work, but also to the inhabitants, who in the future will populate these vast regions, and I am far from believing that our people will at all shrink from carrying to its most satisfactory conclusion the task to which they have set themselves. In placing in your hand, Sir, the resolution that this House go into Committee to consider of the supply to be granted to HER MAJESTY, I desire, to express my sense of the patience, with which I have been listened to by hon. members on both sides of this House.

Hon. Mr. TUPPER said:—Mr. SPEAKER,—I am happy to congratulate the Minister of Finance upon the altered tone of the speech delivered to the House upon this occasion as compared with that we had the pleasure of listening to a year ago. We have not been pained by listening to uncomplimentary observations about his predecessors; we have not been pained by that which was even infinitely more painful—the statements he then made use of which were calculated to injure the financial position and lower the financial standing of this country most seriously—that is to say if the statements of the Finance Minister had been received with that credence which it is desirable that they should be received by this House and the country. I will claim the indulgence of the House while I review at some length the circumstances under which increased tax-

ation was imposed on us last year, and the relation they bear to the statements submitted to the House to-day. I claim in the outset some consideration from the members of this House while I state I stand here to-day in a position to challenge the closest scrutiny of the criticisms I offered upon the statements of the Minister of Finance last year, a comparison of those statements with the Public Accounts which the hon. gentleman has laid upon the table of this House. I am prepared to abide by the decision of this House on the issues that exist between the hon. gentleman and myself after they have given careful consideration to a comparison of his statements and mine, and the evidence which the Public Accounts submitted by himself, present to this Parliament. Last year the hon. gentleman placed in the mouth of his EXCELLENCY the GOVERNOR GENERAL, a serious and important statement to the effect that the expenditure of the current year largely exceeded the receipts, and involved the necessity of applying to this Parliament for increased taxation, as a means of meeting that deficit. The hon. gentleman also represented in the Speech from the Throne because, of course, every person understands that the hon. gentleman is himself specially and personally responsible for statements contained in that speech touching the trade and expenditure of the country—the hon. gentleman I say, is responsible for the statement, that this country was in a state of commercial depression, so important and so serious as to require a reference from so august a person as the representative of HER MAJESTY in the Dominion of Canada. I turn from the speech of last year to refer for a moment to the speech of this year, as far as the commercial condition of the country is concerned. You find that the hon. gentleman has introduced into that document this year a statement which he could have introduced with very great safety last year, namely, that notwithstanding the great commercial depression which had prevailed in the country lying alongside of us, the trade of Canada was sound; and the hon. gentleman has given to the House and to the country an evidence that his statement of last year was unwarrantable, and that it was rightly submitted to the criticism I then offered. I now state to the House that the hon. gentleman, by his statements a year ago, placed himself in a position that obliged him to deal with the Public Accounts of this country as no Minister of Finance ever dealt with them before. In order to relieve himself from the dilemma, in which his statements of a year ago placed himself, and the Government of which he is a member, he has been obliged to make his comparative statements in a most extraordinary fashion. What use is it for the House to have a statement such as this? A statement which is worth anything must fearlessly and honestly give a comparative statement of the revenue and expenditure of the country on the same basis in each of the years which the comparison proposes to embrace. Of what value, therefore, is the statement presented to the House on this occasion? I take the responsibility of challenging the hon. gentleman that both in reference to the revenue and expenditure of the country, liberties have been taken such as were never taken before. It is true that even in this a surplus of over three-quarters of a million is shown as between revenue and expenditure. The hon. gentleman has given us the revenue of the year, that is the receipts of 1873-74 as $24,205,092.54, and the expenditure as $23,316,316.75, showing a surplus of $888,775.79. I am going to take the liberty of correcting these statements, and of placing in the receipts of the country that which every other Finance Minister placed in them during the whole period that this comparative statement professes to cover, and by deducting from the expenditure that which no Finance Minister hitherto has ever placed in this expenditure. I will not attempt to do this without giving to the House such justification as will carry conviction to the mind of every gentleman upon the other side. If hon. gentlemen will turn their attention to this professedly comparative statement what will they find? They will find that in 1867-68, and in all the other years referred to under the heading of "Premium and Discount," certain sums are inserted. Under that head in 1868 they will find the sum of $608,510.12, and what will the House say when I tell them that in this document, declared to be a comparative statement, which is now placed in the hands of hon. members, to enable them to compare the receipts of the present year with the receipts of the past

year. The hon. gentleman has subtracted a corresponding sum and placed in another division of the Public Accounts.

Hon. Mr. CARTWRIGHT—Certainly.

Hon. Mr. TUPPER—I am not discussing the question whether it is right or not; what we are dealing with in the meantime is the question whether this is really and truly a comparative statement. I affirm simply, without fear of successful contradiction, that in order to make it a comparative statement which would be of any value to the House, the sum that I have referred to must be entered in the past year as it was for 1868 and the subsequent years. I therefore add to the receipts of 1873-4 a similar sum to that contained in the former statement of $384,327.48 received as premium on the loan negotiated by the hon. gentleman's predecessor, Mr. TILLEY. That brings the total receipts for the year up to $24,589,419.68. Let me turn to the other side of the account. The House will recollect that the hon. gentleman laid upon the table of this House a statement of the nine months' expenditure a year ago. I challenged the accuracy of that statement, and I told hon. gentlemen opposite that if they would lay upon the table of the House a detailed statement of the mode in which they made up the expenditure chargeable to the operation of our railways, which amount was no less than $1,488,607.89 for nine months, I would pledge myself to show to the House that they were wrong to the extent of half a million. I subsequently claimed that that half million must be added to the surplus that would otherwise exist at the end of the year. In order to show the balance as between revenue and expenditure, I will now give to the House the evidence that will prevent any one ever questioning for a moment my right to do so. If hon. gentlemen will turn to the Public Accounts of 1873, to the second part under the heading of "Railway Expenditure," they will see the following statements:—

Branch Line, Londonderry.....	$ 16,943 29
Point du Chene improvements.....	21,338 91
Branch Line, St. John.....	50,953 59
Mill Pond improvements, St. John.	17,654 35
Halifax City Railway Extension....	15,570 30
Branch Line, Dorchester.....	2,387 20
Deep Water Wharf, St. John.....	98 35
100 new Platform Cars.....	67,110 00
	$192,055 99

If they turn to the 39th page of the 3rd part they will find this sum put down to capital expenditure, or expended upon construction chargeable to capital. Now, Sir, I will ask hon. gentlemen to turn to the Public Accounts of the present year, and I will draw their attention for a single moment to some of the items included in this expenditure put down as expenditure chargeable to railway revenue account. On page 33 of the 3rd part you will find chargeable to working expenses $1,301,550.08. You will find details to which I will for the moment direct the attention of the House. Snow sheds and fences, of the value of $49,097.96, were built, covering a new portion of the Intercolonial Railway, where it passes through the Westchester Mountains. These are as much a part of the Intercolonial Railway as the steel rails with which it is laid. That is one of the items, and one which cannot possibly find its way into the account of revenue and expenditure of New Brunswick and Nova Scotia railways. Then there is the filling in at the Blackburn Trestle Bridge, $4,561.95; siding accommodation at the Intercolonial and Acadia Coal Company's connections $4,221.60; the siding at Newport, $9,384.79; shop tools at Moncton, $11,296, and customs warehouse at St. John, $2,190. The Spring Hill branch, nearly five miles of new railway, was acquired by this Government and for the expenditure upon it the Government absolutely obtained a fee simple of this road yet $32,733.89, is charged for this to revenue expenses. The whole makes a sum of $1,847,175.24. That is the manner in which these Public Accounts have been dealt with, and this is the sum given as a comparative statement by which the hon. gentleman endeavors to create a deficit for 1873-4 and throws upon his predecessors the onus of his having to increase the taxation of the people. But what more? If any further proof is needed, I have here the report of the present Minister of Public Works, and if the hon. members will turn to that report and its appendix, they will find that he there states that $1,301,550.08 is all that can be charged to revenue account. And yet, sir, with this evidence of the Premier as to the impropriety of putting another dollar of expenditure to revenue we have no less than $545,625,16 placed improperly

to revenue, according to the admission of the Premier, according to all previous public accounts, and according to the statement of Mr. BRYDGES, a gentleman who at all events is as well able as any man in this country in making up railway accounts to state what portion is chargeable to revenue and what portion to capital. In his report of 18th August, 1874, Mr. BRYDGES informed the Government that the gross expenses for the year ending June 30, 1874, on the New Brunswick and Nova Scotia Railways amounted to $1,301,550.08, and yet with all these evidences of the impropriety of including one dollar more, $545,605 are added to the amount that could not be put there without entirely destroying its character as a comparative statement. From the total sum of $23,412,829, I deduct that which ought to be capital expenditure—$545,625—which leaves a total of $22,-867,204. Before I pass away from this railway expenditure, and from the question of the amount that could be legitimately charged against the working of the railways, I will refer to the statement last session of the hon. Minister of Finance, which startled all of us, that there was a deficit of one and a quarter millions in connection with revenue and expenditure of public works due to those railways. Not only that, but the London *Economist.* which re-published substantially the speech of the hon. gentleman on the eve of negotiating an important loan, drew the attention of the people of England to the fact that Canada was engaging in a series of such thoroughly unprofitable works that a deficit of one and a quarter million dollars had been caused by the operations of the railways. I draw the attention of the House to the fact that, instead of there being a loss of one and a quarter millions upon the operations of our railways, the loss amounts to only $408,119, and that is confirmed by the statement of Mr. BRYDGES in his report. I admit that this is a true statement of what should be charged to working expenses; but it does not represent the true financial condition of the railways. When I state that the public accounts show that of that $408,119 no less than $275,719 are due not to ordinary but to extraordinary expenses, the House will see at once how small was the ground for the Finance Minister's statement that there was a deficit of one and a quarter millions. How would the Grand Trunk officials like the two million pounds sterling expended on the purchase and laying down of steel rails to be charged to the current expenses of a single year. That might technically be a proper position in which to place the renewals, but the expenditure must be spread over twenty years to enable a proper and just comparison to be made between its present and past position. That extraordinary expenditure on the Government railways was caused by a portion of the track being relaid with steel rails, the outlay upon which should be spread over a number of years. Deducting the cost for these extraordinary works, the House would observe that a deficit of $122,666 had been magnified into one and a quarter millions. I think I have satisfied the House that I have rightly deducted that sum of $545,-625 from the statement of the expenditure, which has been laid on the table, which leaves $22,867,204, thus showing an actual surplus of $1,722,215 on 1st. of July, 1874. Now, Mr. SPEAKER, I admit frankly that this amount is subject to some deductions, but I challenge the accurracy of the statements made on this point by the Finance Minister, and will undertake to prove to the House, from the hon. gentleman's own statement, so that he cannot controvert my argument, that no such sum as two millions of the amount received before 1st July 1874, was due to the change of tariff. I will now deal with another point. But before doing so, as the hon. gentleman a year ago cast unwarranted odium upon his predeccssor, Mr. TILLEY, and the calculations he had submitted to the House a year previously, and expressed himself in not very complimentary terms, in respect of my statements, I shall draw the attention of the House for a few moments to Mr. TILLEY'S statement. I have shown that the expenditure was $22,867,204. What did Mr. TILLEY say to this House—this gentleman who has been held up to the people of this country as a Minister who could not approximately estimate the probable expenditure? Mr. TILLEY'S estimate of expenditure for 1873–4 was $22,586,000, while the national expenditure was $22,-867,204, and this statement was made more than a year before it could be verified. In my speech in which I criticised the Finance Minister's statement last year

I ventured to say that the accounts at the end of the year would show an expenditure of $22,933,800. By permission of the House I will read the following extract from a report of my speech :

"The hon. Finance Minister had fallen into "one or two grave errors in estimating the "financial affairs of the country. In page 32 of "the Estimates it would be found that there was "a sum of $766,200 which the hon. gentleman "declared would required to be re-voted. This "was upwards of three-quarters of a million "which according to the hon. gentleman's own "showing would be unappropriated up to the "1st July, 1874. Then he wished to draw "attention to another point. He maintained "that the hon. gentleman had made a mistake "in the statement of expenditure which had been laid on the table of the House of nearly "half a million of dollars. In one item the hon. "gentleman startled the House and the country "with the declaration he made as to the expen-"diture and deficit that would exist in regard "to the working of the Government railways. "He (Dr. TUPPER) might say that he had "watched the operations of those works in "regard to the receipts they would give the "country, the expenditure upon them, and "everything connected with them, in the most "narrow manner for fifteen years, and he would "pledge himself to prove the mistake in the hon. "gentleman's figures if he would bring down "a detailed statement showing how he made "up the $1,488,607 charged against the opera-"tion of the railways for nine months. The "expenditure for the same service in 1873 was "only $791,326, although it was well-known "that, owing to the severity of the winter, the "roads had been worked at unusual cost. He "had no hesitation in saying this was a mistake, "and he would undertake to show before the "Public Accounts Committee *that there was* "*$500,000* charged here to current expenditure "which in all previous years had been charged "to capital account. The addition of the sum "of $776,200 to this error of at least $400,000 "made a total of $1,166,200 as the sum of un-"expended money which would enable the "Finance Minister to meet any possible defi-"ciency in any possible demand which might "arise before the 1st July, 1874. By subtract-"ing these errors from the amount of $24,100,000 "the sum remaining would *be $22,933,800,* "which would give him a clear *surplus of* "*$966,202* at the end of the current fiscal year."

Dr. TUPPER continued:—The Finance Minister placed the expenditure at $24,100,000. I have the speech of the Hon. Minister of Finance (Dr. TUPPER continued) in reply to the criticism I offered, in which he states that no more than twenty-two millions of dollars could be collected during the year.

Mr. CARTWRIGHT—Without the new tariff ?

Hon. Mr. TUPPER—Without the new tariff. I wish to bear that in mind, for that is precisely the point to which I am going to address myself. The hon. gentleman stated that the expenditure for the year would be $24,100,000, and it was upon that statement that he felt warranted in asking the House to resort to the extreme course of levying three millions additional taxation on the country. It will not do for the hon. gentleman to come before the House with an excuse, because if he believed they were only figures on paper, and did not represent the true position of affairs, he was not warranted in resorting to such an extreme course. Deduct the actual expenditure of $22,867,-204 from the estimated expenditure by the Finance Minister, made by him with all the documents in his possession, which would enable him to ascertain the correct financial position of the country, and the hon. gentleman was proved to have been $1,232,-806 astray. I mention that fact to the House because I feel that, after the manner in which the Hon. Finance Minister dealt with the statements which I offered to the House last session, it is not improper that I should remind the House of how the statements I offered have been borne out by the Public Accounts laid on the table by the Minister of Finance himself. I stated that the actual surplus of revenue over expenditure was $1,722,215.41. I will deduct from that, in the first instance, the amount received from new taxes. The hon. gentleman has not told us what they amount to, but I think I have taken a sufficiently wide margin when I state that the amount received from the new taxes—that is to say, the taxes that were received for the two and a half months previous to the end of the year—was $546,000. Then I find that a very talented gentleman—the Deputy Minister of Inland Revenue, Mr. BRUNEL, who has come to the assistance of the Finance Minister, and I do not blame him for seeking any extraneous aid which he can find—has treated this House to a very able and ingenious argument to show the amount of duties paid in before the 1st July, 1874, in consequence, not of the new tax, for I have already included that in the $546,000 that I have already mentioned—but in consequence of the proposed change of tariff. And let me here make a single remark upon that point. I ventured to say to the Hon. Finance Minister last year, when he was describing the amount of revenue that

was received during the last quarter of the year, that it was owing to the fact that the country was excited by the change of tariff. What was the result of that? If taxation is required at all every person knows that wherever constitutional, Parliamentary Government exists, the Government considers itself bound to preserve the strictest secresy in reference to any proposed change of tariff, and for obvious reasons—first—to prevent trade being disturbed; and, secondly, in order to obtain a revenue that would otherwise be lost. But in this case the Government made no secret of the proposed change in the tariff, in fact drew the attention of the public to the subject in the speech from the Throne long before the new tariff was proposed to the House, causing the greatest possible derangement in the trade of the country, and also a loss to the revenue. But I am happy to relieve the hon. gentleman from the obloquy that would rest upon him for taking such a course by stating that the amount thus lost to the revenue is not nearly so large as he himself appears to suppose. However, I will take the estimate of Mr. BRUNEL of the enhanced inland revenue received on account of the change in the tariff, namely, $526,611. I may state in reference to that, a glance at the figures as they now present themselves will show that this is a very extravagant calculation on the part of Mr. BRUNEL, although he is a gentleman in whose judgment and entire honesty of statement I have the most unbounded confidence. A glance at the receipts of the Excise Department for 1873-74 will show that during the six months from the 1st July, 1874, to the 1st of January, 1875, $152,662.50 more were received in 1874 than in 1873. I quite admit that there was a large amount of revenue in the Inland Revenue Department discounted that would have been paid in 1875, but not so much as claimed by Mr. BRUNEL, because the Hon. Minister of Finance stated that all he proposed to obtain from Excise was $750,000 per annum, and the last quarter gives $234,837 more than the last quarter of 1873. With these figures before them, the House can see that in accepting Mr. BRUNEL'S statement we have accepted the outside statement, which can be sustained when you come to examine the amount which has been received during the last six months. Add these sums together the amount derived from new taxes, and the amount received from enhanced inland revenue which ought otherwise to have fallen in 1874–5—and we have $1,072,611 in all. Deduct that from the surplus as it existed and it leaves a surplus for 1873 without change of tariff of $649,604.41. Now, the hon. gentleman will ask me "What about the Customs? If you credit over $500,000 for Inland Revenue what are you going to credit for Customs paid in before the end of the year which otherwise would have gone to the next year?" I tell the hon. gentleman nothing. I will prove to him by his own argument that he cannot claim a single dollar as paid in before the first of July, 1874, over and above that which would have been paid in under other circumstances. I will show the hon. gentleman that all that was discounted must have been discounted before the end of the year. The hon. gentleman tells us that instead of the trade of this year having increased it has decreased. The hon. gentleman has been kind enough to send me over—and I thank him for the courtesy—a statement which makes the whole imports entered for consumption for the six months from the first July, 1874, to the first of January, 1875, and what does it show? A large increase in trade? If these figures are correct—as I am bound to admit they are—they establish a falling off in imports entered for consumption during the past six months of one million and a half. Now, I wish the hon. gentleman to tell me if there was a falling off in the trade of the six months from the first of July, 1874, to the first of January, 1875, of one million and a half, how he can show a single dollar discounted previous to the first of July? I will now draw the attention of the House to the statement of the Customs returns for the six months from the first of July, 1874. Bear in mind the Hon. Minister of Finance assured the House and country when he was levying these new taxes a year ago, that he was only taking three millions additional revenue out of the pockets of the people. Now I invite his attention this statement. I hold in my hand the Customs returns for the six months from July to January, 1875. I have admitted the soundness of Mr. BRUNEL'S argument because he has

shewn that there is not a corresponding increase in the receipt of 1874, as compared with the receipts of 1873, notwithstanding the new taxes. But if you accept Mr. BRUNEL'S argument, and if you come to consider that half a million additional revenue went to the Treasury before the 1st of July, then you are bound to accept the same principle as applied to the Customs Department. What does it show? It shows that in July, 1873, we received $1,383,539.48 from customs, and in July, 1874, no less a sum than $2,147,652.76, an amount infinitely larger than the application of the new tariff to the sum received in 1873 would give. That, you may say, is but a single month. In August, 1873, $2,093,-978.15 were received, and in August, 1874, $2,352,768.97; in September, 1873, $1,974,513.75; in September, 1874, $2,471,814.18; in October, 1873, $2,687,-519.02, and in October, 1874, $3,127,-166.77; in November, 1873, $1,814,-885.55, and in November, 1874, $2,230,-540.74; in December, 1873, $1,586,-449.90, and in December, 1874, $1,640,-006.13—making a total revenue during these six months from July to January—when the hon. gentleman has shown that a larger amount by one and a half millions was entered for consumption than during the present year—$11,540,805.85 in 1873, and $13,969,949.52 in 1874, or an increase in the six months of $2,429,-143.67. Now, I ask the hon. gentleman to explain to this House how it is he can obtain the amount of revenue which he could only get from the heavy levy of nearly five millions of taxes per annum upon the people of this country, provided that a million of Customs Revenue was discounted before the first July, 1874 I say that it is impossible for any gentleman who regards the argument addressed to the House by the Finance Minister in this matter, to come to any other conclusion than this—that the hon. gentleman was obliged, drawing upon his imagination for his facts, to put down such a charge to enhanced Customs as was necessary in order to establish his imaginary deficit. Now, let me tell the House what that imaginary deficit was. I hold in my hand a paper that professes to be well informed in this country—the *Globe*—which states that there was a deficit in the current expenditure of the past year of no less than three millions. The Minister of Finance did not go quite so far as that, but the paper to which I refer had the shamelessness—I say the word advisedly—to state on the 1st January, 1875, in reviewing the events of the year, that there was a deficit of three millions. Let me read the language used by that paper—"A deficit of three millions. The legacy of the former administration, having to be provided for, after much discussion and a very full representation of the views of all classes interested, by raising the 15 per cent. duty on imports to 17½ per cent.; by re-imposing a small duty on tea and coffee; by increasing the excise duties, and in some other particulars readjusting the tariff." The same paper, in reviewing the budget speech, further says:—"In 1874-5, Mr. CARTWRIGHT, who has, omitting Mr. TILLEY'S short rule, virtually succeeded Sir FRANCIS HINCKS, finds the revenue still growing and nearly $3,000,000 ahead of 1870-71, but an expenditure so enhanced that he has to provide by fresh taxes to cover a deficit of three millions." But what does the Finance Minister himself say? I hold in my hand a London *Economist* containing an account of the speech which he delivered to this House; and it was fortunate for the House and fortunate for the country, in view of the fact that the hon. gentleman was going to England to negotiate a large loan, that there was an Opposition in this House; it was of value to the country that these statements were not allowed to go unchallenged and that the result of the analysis to which we subjected the figures and statements of the hon. gentleman a year ago induced one of the most influential journals in London to disclaim the deficit—a pretended one; and if it had not been that a friend of Canada was then in England to take up and controvert these mischievous statements reproduced from the speech of the Honourable Minister of Finance, his story to-day, respecting the loan—although I shall show that it requires some qualification before I sit down—would have been a different one from what it was. What do they say? Why, basing their remarks on the speech of the honourable gentleman they say:—"There is now a serious deficit, involving the necessity for much new and disagreeable taxation, with every prospect of a still more serious

deficit in the future unless the past policy is reversed and great care is otherwise taken." They then give the figures from the Public Accounts, as submitted by the Hon. Minister of Finance and the statement contained in the Budget speech, and thereafter put down a deficit of £472,000 sterling as that which the Hon. Minister of Finance had declared to the people of this country would fall upon the year 1873-74. Having stated that much with reference to the question of the deficit, I will now show the hon. gentleman how the figures really stand. As I have said before, I have proved to the House that the surplus that exists as the actual surplus of the year, irrespective of any change of tariff, would have stood $649,604.41, and I may state that that is only $123,000 over what I stated to the House a year ago would be the surplus at the end of the year. But that is not all. I ask the hon. gentleman where is the surplus that we left in the Treasury, due from the year 1872-3. We showed to the House that we left in the Treasury a surplus of $1,638,821 on the previous year, and if you add that to the $649,604 of surplus for 1873-4 that would have existed on the 1st. of July, 1874, provided this mischievous meddling with the tariff had been avoided, the surplus in the Treasury now, without new taxation or any change in the tariff of the country, from the two years it would have been no less than $2,288,-425.40. And yet with our affairs in that position—with our affairs in such a position that on the 1st of July, 1874, by following the policy of their predecessors there was in the hands of the present Government a sum of over two millions and a quarter — we were compelled to listen to denunciations hurled at us from the Treasury benches, on account of our having, as was alleged, created a deficit, and to have it heralded in London and over the world that this defiicit was owing to the manner in which public affairs were administered by the late Government. Now, let me draw the attention of the House for a moment to what the condition of affairs inherited by the hon. gentlemen, opposite, was, and under which they complain so bitterly. When we were able to show the House and the country that under our administration, the trade of the country had increased in five years from $131,027,928 to no less than $217,-801,203, or an increase in five years of $86,773,671. I think that the honorable gentleman might have allowed his predecessors to have escaped his denunciation as to the past financial management of this country. When we were able to show that the revenue of this country had risen under our administration from $13,687,928 in 1867-68 to $20,813,469 in 1872-73, an increase of $7,125,541 in five years, I think the honourable gentleman might have felt that something was to be learned from examining the financial policy of his predecessors, rather than cast the undeserved obloquy on them that he did. And when it is considered that that enormous increase of no less than seven millions of dollars per annum was obtained, in contrasting these five years, the first with the last; when it is remembered that that was not due to increased taxes as will be to the honourable gentleman's increased revenue which he will be able to flout in our faces a year hence, but had been accomplished while at the same time we had made the great staples of tea, coffee, &c., free and had reduced the taxation to the measures of the people, no less than two millions per annum, we have every reason to court the fullest investigation of the policy of my right honourable friend who now sits beside me.

Mr. CARTWRIGHT—How much does my honourable friend say he reduced the taxes? Two millions?

Hon. Mr. TUPPER—Over two millions per annum in the two years preceding 1872 and 1873. Now. I have shown the honourable gentleman that he was wrong in his impressions with reference to the trade of the country, and which I do him the justice to say he has frankly and fairly admitted in the speech with which Parliament was opened this session. I have shown the honourable gentleman that he was wrong in reference to the revenue of the country to the extent of something like two millions of dollars, and in reference to the expenditure of the country to something like a million and a quarter; and the honourable gentleman himself was compelled to admit that he was seriously wrong in the means by which he proposed to deal with what he conceived to be the financial position of the country a year ago. Every person recollects that the measures which were proposed to this House, and proposed with severe strictures

and comments as to the tariff policy of his predecessor, Sir FRANCIS HINCKS; everyone knows how, that after that the hon. gentleman came back to the House, and reformed his tariff, accepted the criticisms of this side of the House, and tried to get as nearly as he could into the same line of policy as the gentleman who had preceded him in that important office. But there is one question that I thought the honourable gentleman would not have risen from his seat to-day without dealing with. Every person recollects that when the Government of the United States removed the duty from tea and coffee the Government of Canada adopted the same policy and made those great staples free. When it was found we were to have a duty of ten per cent. imposed on tea and coffee as against us, that the Government took power from Parliament to enable them to pass a Minute of Council to meet that policy on the part of the United States, I may say that the policy of protecting the tea importers of Canada by the imposition of a ten per cent. duty on tea from the United States, was a policy which met with a hearty response from every part of Canada. I am not aware that a single person approached the Government with a view to alter that policy, and I do say that the Hon. Minister of Finance was not candid to the House when, at the last moment, he slipped a clause into the Bill without mentioning the important change he was making in the fiscal policy of the country—a change which, I say, he was not justified in making. I am not a lawyer, but I do not believe that the change then made which had the effect of enabling them to repeal our Order in Council destroyed the power to pass another, but if it did it was due to the House and the commercial interests of this country that our traders should have been placed on an equal footing with our American neighbours. Simple justice should have been done to this large and important branch of the trade of the country, or rather what was an important trade, but which, if the suicidal policy of the Government is continued, will soon cease to be. The House will recollet that the hon. gentleman's duties in relation to wines received a most important modification from his hands under the strictures with which the proposed tariff was met. I was in hopes that having still left the tariff on wines in a most unsatisfactory condition, having lost revenue on them,—the hon. gentleman shakes his head! Then I say, he should have stated in his address something like the results of his tariff bearing on the condition of the industries and branches of trade subjected to the additional taxation of last session. I know the tax is most unjust and unequal as it stands to-day. I know the tariff on wines introduced by the hon. gentleman has the effect of making the poor poorer and the rich richer. The duties on wines consumed —necessarily consumed, as a matter of medicinal treatment, by the poor—are largely increased when compared with the wines used by the most luxurious classes of society. That is a matter not undeserving the attention of the Minister of Finance, and it ought to have received attention from him. Then there is the question of sugar. The House will remember that although the hon. gentleman withdrew the tariff on sugar, he said that would receive the attention of the Government this session. There never was a time when the Hon. Minister of Finance had it in his power to deal with this question in a manner more just to the people than at present. He says we have a surplus of half a million. I say the Government have no right to have a surplus. If they have, they should endeavor to get rid of it, and the best way to do so is that pursued by us, and by the Government of Great Britain—by lightening the taxes on the people; and when I tell you the article of sugar pays in this country fifty per cent. on its cost, while in England the Government have swept the tax away altogether, I think the House will agree with me that the time was most opportune to have used this surplus—not in adjusting the tariff for sugars, as the hon. gentleman proposed last year, but by such a decrease of duty upon the lower grades of sugar as might accomplish the object the hon. gentleman had in view when bringing the tariff before the House, and which would be received as a boon by the poorer classes of the country. As far as the tariff is concerned, we had our triumph last year. As far as the revenue is concerned we have our triumph now. We stand in the presence of this hon. House and the country te show that the views we propounded to the country in relation to this matter were sound. I

commenced my speech by congratulating the hon. gentleman on the improved tone of his speech. It will be a matter of congratulation not only to this House but to the country that the Hon. Minister of Finance, having been warmed in his seat, and accustomed to the sweets of office, has adopted an altered tone, and says to the country that the position of affairs is not so disastrous as a year ago it seemed to him to be. I congratulate him on his altered tone, and on the prospect which his altered views indicate that the Canada Pacific Railway, the hope of this country, will be entered upon with a vigor and spirit which certainly did not characterize the Budget speech which the hon. member delivered a year ago to this House. The construction of that work will increase the revenue, and year by year we will find that steady prosperity which obtained under the late Government from the commencement of Confederation, and which under a proper Administration of Public Affairs will continue in the future.

It being six o'clock the House rose for recess.

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After Recess.

NORTH WELLINGTON ELECTION.

Mr. SPEAKER stated that on Saturday he had received the Judge's decision in the North Wellington Election Case. Under the Acts of 1873-4 he (the SPEAKER) had issued his warrant for a new election immediately. After it had been issued the Clerk discovered that the Judge in his certificate had stated that he had proceeded under the statute 37 Vict.—that it, from the facts, seemed to have been a clerical error. He (the SPEAKER) however hesitated to submit his report to the House until means were taken to ascertain from the Justice whether it was a blunder in the proceedings, or a clerical error. In reply to a telegram he learnt that the proceedings were held under the Act of 1873. He telegraphed to the Judge that it would be necessary to amend the certificate and send it in, when the warrant would be issued again, no proceedings having been taken under the first writ, which was stopped in transit.

Hon. Mr. MACKENZIE thought the SPEAKER was quite right in waiting for the amended certificate. It would never do to amend the certificate on a mere telegram.

Right Hon. SIR JOHN A. MACDONALD thought, under the circumstances, as it would cause only a momentary delay, it would be well to wait until the amended certificate was received before issuing the writ.

THE BUDGET.

Hon. Mr. TUPPER resumed his speech. When the House rose I was about to make a brief reference to the remarks of the Minister of Finance touching the important subject which he has submitted to the House with reference to the loans negotiated in England. Before doing so, however, I shall occupy the attention of the House for a few moments longer in relation to another very important branch of the speech which the Hon. Minister of Finance has just delivered to the House. I mean that referring to the estimates of the present year. Now, the House will remember that there was no subject upon which that hon. gentleman has dilated more forcibly during the past four years than the charges of extravagance which he brought against the late Administration. No Budget was ever submitted from the time that the hon. gentleman went into opposition to the late Government without the very severest strictures being levelled against it by that hon. gentleman, on the ground of recklessness and extravagance, and the hon. gentleman from his seat on the Treasury benches, followed up the same course last session, and in terms the strongest that he could possibly use characterized the action of his predecessors in reference to the expenditure which they from time to time submitted to the House, as in the last degree uncalled for and extravagant. I will read a single passage from the hon. gentleman's speech of last session, referring to that matter. "The Government are quite "prepared to assume responsibility to "the fullest extent for any act of their "own; but they are not disposed to "assume, nor will their supporters or the "country at large expect them to assume, "any responsibility for acts of their "predecessors against which they protested "to the utmost; which they opposed at "every stage from their inception onward, "and for the results of which they are

"now to provide." Now, I see that the organ of the Administration in this city, draws the attention of the country to the estimates which the Finance Minister has submitted; I read from the Ottawa *Times* of the 13th Feb.:—

"These figures are worthy of careful perusal "at the hands of our readers, for they demon- "strate that Mr. MACKENZIE'S Government are "faithfully carrying out the pledge made to the "country, viz.: To govern the Dominion "efficiently and at the same time economically."

Now, I have, as one of the readers of the *Times*, accepted its advice and acted upon it. I have carefully considered the estimates which the hon. gentleman has submitted with a view to ascertain if that hon. gentleman holds the same sentiments on the Treasury benches that he held while he occupied a seat on the Opposition benches, and which he expressed in very strong terms last session. But I have perused these estimates with the greatest possible care without being able to find any evidence whatever that that hon. gentleman intends to fulfil the pledge which the Government of which he is a member made to the country that if they were returned they would retrench the public expenditure and economise the public money. On the contrary, I am prepared to prove from the estimates themselves that if the late Administration were extravagant, the present one is more so. I am prepared to show from the estimates that never in the history of the country did any Government exhibit less disposition to retrench public expenditure or economise public money. The hon. member himself stated to the House, during the speech which he has just delivered, the leading items that had largely swoolen the estimates of the late Government, and I am sure, as the hon. gentleman read them over, there was not a member of this House who would say that if he had that subject under consideration he would have adopted any other course than that pursued by the old Government, yet this extravagant Administration—as the hon. gentleman declared it to be, after abandoning his party—although they reduced the taxes $2,000,000 per annum, in three years, expended out of ordinary revenue on public works chargeable to capital in five years no less than $11,726,045. They were not in the position of this Ministry, coming down to this House and saying the revenue would not cover expenditure, but, on the contrary, they found the revenue so large that while they were able to provide liberally and abundantly for every department of the public service, they could, at the same time expend on public works chargeable to capital, reducing the debt of the country nearly $12,000,000 below what it would otherwise have been, out of the ordinary revenue of the country. But what was the budget of the hon. gentleman who declared that he was not only unable to meet the ordinary expenses of the country with the revenue, but required to levy an additional $3,000,000 of taxes on the people? The House knows very well that the hon. gentleman's first budget was in excess of the largest expenditure, the most extravegant if he will (because he was shown that the expenditure of last year was greater than that of any previous year) proposed to this House to authorize him to expend $2,603,345 more than the largest expenditure that the late Government ever made in this country. The estimates for 1874-5 proposed an expenditure of $25,470,649.

Hon. Mr. CARTWRIGHT.—The hon. gentleman is including the balances carried forward.

Hon. Mr. TUPPER.—I accept the hon. gentleman's statement and would remind him that I drew his attention to the fact that he did not require so much money because he had the balances to carry forward, but no argument I could adduce would persuade him to abate one jot or tittle of his estimates, and he accompanied his demand on the House with the statement that this expenditure was inevitable, although he was obliged to increase the taxation $3,000,000. We have now, in his estimates that the supporters of the Government outside of the House declare to be evidence of the intention of this Government to govern the country economically, that the proposed expenditure for 1875-6 is no less than $24,857,488, or $1,990,184 more than the largest expenditure ever made by any former Government. Yet this is the Government that claims credit from the people of this country for its great economy. Why, does not every one know that one of the largest items of expenditure made by the late Government was in the construction of important public works chargeable to income. Every person is aware, that has had the honour of occupying a seat in this

House, that that is an expenditure that you do not expect to go on with. Every person knows that when the Dominion had to provide the principal places with public buildings there was an end to that expenditure, yet we were enabled to reduce the current expenditure while making these improvements, without crippling the resources of the country. We have in the estimate before the House an increase of nearly two millions of dollars over the estimate of the late Administration which the hon. gentleman denounced as recklessly extravagant. Yet, they claim credit for being a remarkably economical Government. If the people accept this statement of the Hon. Finance Minister as evidence of their economy, I say they will find just the same difference between the promises and the performances of the hon. gentlemen opposite that they have in reference to every other subject. Now, let me draw the attention of this House to some items of this increased expenditure in this economical budget that the hon. member's friends are are now claiming credit for. In the item of civil government, the largest expenditure ever known in this country under the old government was in 1873-4, when it amounted to $883,685; but that amount is not sufficient for this economical government. They demand $922,391—a small increase of $38,406. The Administration of Justice I will pass over for the hon. gentleman will tell me that it is a matter over which the government have no control, but in that there is an increase of $72,258.

Hon. Mr. CARTWRIGHT—The increase is $37,000.

Hon. Mr. TUPPER—Then it is a mistake in the figures! I have taken them from the estimates as they are. However, I did not draw attention to that particular; it is a small matter in this heavy budget. I will not make reference to the item of immigration further than to say that I feel the Hon. Premier did himself no more than justice when he complimented my hon. friend who was formerly in charge of that Department, and who now sits on this side of the House, on the eminent success which had attended his policy and that of the late Administration on this subject. The estimate this year, however, is $428,910, being $164,308 over the largest expenditure we ever made in that service. I am reminded by my right hon. friend who sits beside me that there is an Agent General to provide for, and I suppose that is a subject for which we ought to be profoundly grateful to the Administration. I cannot pass over the next item without pausing to make a remark. I find in the item for pensions, though the largest expenditure ever made under this head before was $120,896, it is now swoolen to $207,434, or an increase of no less than $140,981. Now, I may perhaps be reminded by some hon. gentlemen, on both sides of this House, that there is an item which meets the most cordial and hearty concurrence from the members of this House, as it will of the country; that is $50,000 for the veterans of 1812, but that item will not cover an increase for pensions of $140,981. This includes additional provision for superannuation. I call it a demand on the House to place at the service of this Government a sum of money, not for any necessary purpose of superannuating worn out officials, but to provide them with the means of ridding the Government of the services of many of the ablest public servants in this country, only to find a place for partisans of their own. When this item comes up for consideration I will be prepared to show the House that they have dispensed with the ablest men in the service and replaced them with comparatively incompetent men at the cost of the country, and therefore I say this large increase deserves the careful consideration of members of this House as it will receive the close scrutiny of the intelligent people of this country.

A MEMBER—Name them.

Hon. Mr. TUPPER—I will tell them when the vote on this question comes up, and not a few cases will be mentioned in which the power to superannuate has been grossly abused. Then I come to the item of the Militia. In that I find they ask no less than $1,130,000, an increase of $152,624 over the appropriation of $977,376.

Hon. Mr. MITCHELL—And that was too big.

Hon. Mr. TUPPER—It will hardly answer the Minister of Marine and Fisheries to complain of the expenditure of 1873-4, because I am afraid he is to a certain extent responsible for it. Then we come to the item or Public Works. There is no grant of the public service

that the hon. gentleman in his budget speech of a year ago animadverted on in a stronger manner in reference to the expenditures of the late administration than this, and yet we find an increase in the estimate for this year over the amount expended last year—and I am now speaking of public works chargeable to income —of $647,749 over the expenditure for 1873-4. Then in ocean and river service we have an increase of $33,262. And now, I come to that branch of the public service with which, night after night, for several years we were charged by hon. gentlemen opposite with being grossly extravagant—I refer to the expenditure in connection with the collection of the public revenue. Who that has had the honour to fill the position I held for a short time — Minister of Customs— was not compelled to fight, night after night, through the estimates against the attacks of the hon. members opposite, who charged him with extravagance in the appropriations for which he asked? Now, the Hon. Finance Minister tells us that the estimate of last year, $658,299, is to be increased to $721.520, only an increase of $63,221 over the largest expenditure ever made before in this country for that service.

Mr. YOUNG—Is the hon. gentleman comparing one year's estimates with the other?

Hon. Mr. TUPPER—The hon. gentleman is quite intelligent enough to know what I am doing. He knows an estimate is framed in reference to the expenditure for which it is required, if he knows any thing. He knows perfectly well that when a Finance Minister sits down to make an estimate, he sits down with the column of expenditure required for that service, before him, and that he is bound not to ask this House for a single dollar that a comparison with the previous expenditure does not show him will be required for the expenditure of the year. I tell the hon. member who has interrupted me as I believe simply for the purpose of making an interruption, that I am not surprised that he sits uneasily in his seat when he finds the gentleman that he is sustaining, and asks the country to sustain on the ground of the economical manner in which they are going to administer the affairs of this Dominion, asking this House to give no less than $63,221 more money to pay for collecting the revenue of this country than was ever expended before. Then in reference to the collection of excise, there is an increase of $30,565, the estimate being swollen from $206,935 in 1873-4 to $237,500 in 1875-6 and this without reference to the expenditure required under the new Act respecting the inspection of weights and measures, and the inspection of gas, but simply to the collection of excise. Then in the estimate for the Post Office, there is an increase of 301,330 over the largest sum ever expended by the old government in that department. Now, I come to the estimate for public works chargeable to capital account. I make the same corrections that I did in the former accounts in connection with the comparative statement. I proved that $545,525 was put down in this expenditure over and above what was expended in that service. I proved that that amount had been charged to railway revenue, and taking that out I find the largest sum expended by us—in 1873-4—was $1,844,154. The hon. gentlemen who follow us ask us to place $2,379,745 or $535.591, more for the operation of railways in this country than was ever expended in past years. Now I need not follow this subject. I have told the House what the total is. They ask for the modest sum of nearly $2,000,000 more than the greatest expenditure ever made in this country for the purpose of swelling almost all the expenditures which are under the control or in the hands of the government. But there is one point in which I must admit they have made a decrease. I point it out because I wish to be just to the hon. gentlemen opposite; it is the reduction on the geological survey, which amounts to $1,707. Now, I have no hesitation in saying that if there is a service for which the government of this country would be warranted in placing in the estimates a very much larger sum than the appropriation they ask, it is this I say, with the great North-West opening out upon us, with British Columbia added to our domain, there is a field for economical discovery that no intelligent member of this House would for a moment question. Who is it that does not know that the people in the North-West, with the millions that must be brought into it, if Canada is true to itself.

Hon. Mr. MACKENZIE—This is really so very gross a misrepresentation that I am sure the hon. gentleman cannot

have looked at the paper before him. He will find on page 52 that the expenditure this year is $5,000 more than last year.

Hon. Mr. TUPPER—I am extremely glad to hear it, and it saves me from a duty that I felt bound to perform. I can only say that I examined these figures with some care, and I will be very much surprised to find—because it is impossible for me to go through the papers now—that I am mistaken. I may say this much to the hon. gentlemen opposite, that a decrease has been claimed for them in this item by the press that supports them. I do not intend to occupy the time of the House at any greater length in reference to the point to which I have drawn attention, but as I promised the House that I would pay some attention to the remarks of the hon. gentleman in reference to the loan, I shall beg the indulgence of the House while I draw attention to that matter. I am obliged to take exception to every statement made by the hon. gentleman in reference to the loan. I believe I shall be able to show to the House not only that the hon. gentleman was not entitled to the credit which he claimed for himself; but that there are circumstances connected with the negotiation of this loan which are of a very serious character, and demand the immediate attention of this House. It will be in the recollection of members on both sides of the House that when the Minister of Finance returned from England the Toronto *Globe* claimed for that hon. gentleman the credit of having negotiated a loan which, compared with the current rate of the five per cents. in England, was a gain to the people of this country of over $800,000. Well, Mr. SPEAKER, that statement was subjected to a good deal of criticism. The hon. gentleman has stated that there are three modes by which the character of a loan ought to be judged. One mode, he said, was the ruling price of consols at the time the loan was negotiated. Another mode was to compare the last loan with that negotiated by Mr. TILLEY, and the third mode—and the only one that I think will be accepted by hon. members of this House as the true test by which to judge of the character of this financial transaction—is to compare its terms with those upon which parties similarly situated were able to negotiate loans at the same time. I deny that the ruling price of consols have any thing to do with the question.

Hon. Mr. CARTWRIGHT — Hear, hear!

Hon. Mr. TUPPER—The hon. gentleman says "Hear, hear!" What did he tell the House during his speech—that any one who had negotiated a loan had found that the rate of consols varied six per cent. during a single year.

Hon. Mr. CARTWRIGHT—Twelve per cent.

Hon. Mr. TUPPER—And yet the hon. gentleman asks us to accept the ruling price of consols as any indication. There are a thousand circumstances connected with the price of consols which do not touch a loan of this character. I pass that by as utterly aside of the question, and unworthy of examination, as giving any basis for estimating the terms of the loan. Then, the hon. gentleman asks the House to compare his loan with that negotiated by Mr. TILLEY. What does he take hon. members of the House for? Does he suppose that the intelligent members of this House do not know that the value of a debenture in London one year can no more be contrasted with the value of the same debenture another year, than can the price of a ton of coal one year be compared with that of another year. Any one who knows anything of financial matters knows that such are the fluctuations of the money market from year to year; that no test is thereby afforded. In what position would such an argument place the predecessors of Mr. TILLEY, to go back in Canadian history, if such a test was to be employed? The House knows that the last test is the only one worthy of one moment's consideration at the hands of hon. members. Before proceeding to employ the third test, I will tell the House what was the result of the criticism which that statement in the *Globe* received at the hands of an experienced accountant. I shall quote from an article which appeartd in the *Globe* itself, written by a reliable accountant, whose figures never have and never can be controverted, and whose statement was found to be so incontrovertible that the *Globe* has been silent ever since in respect to the great financial achievement of the Minister of Finance. This communication

shows that instead of the *Globe's* statement being correct, that this loan was negotiated on terms which would give $800,000 more than the price at which our five per cents. were ruling that day in London, the loan was negotiated at a loss of two and a half millions to Canada.

Hon. Mr. CARTWRIGHT—Hear, hear!

Hon. Mr. TUPPER—The hon. gentleman says "hear, hear!" I tell him there is no better indication of the satisfactory condition of the money market in England on the day the loan was negotiated than the price at which Canadian five per cents. were ruling. I did not intend to say (I am only taking the argument of the other side), and I do not say that you can negotiate a loan of twenty millions of dollars at the same price as you can sell small parcels of debentures; but I say that instead of the Finance Minister effecting a saving of $800,000 as compared with the value of five per cents., his loan was attained with a loss of two and a half million dollars.

Hon. Mr. CARTWRIGHT—You pledge youself to that.

Hon. Mr. TUPPER—I pledge myself to that; and I will give the hon. gentleman the figures, which I defy him or any other gentleman to controvert. For the five per cents. we would have received, under the hon. gentleman's loan of £4,000,000 sterling, $19,600,000 at 107, giving $20,972,000. I may state at this point that the Canada five per cents. on the day on which the loan was negotiated were selling at 109; there was two per cent. of accrued interest, which left seven per cent. clear. We would pay principle, $19.600,000; interest for thirty years at five per cent, $29,400,000, together $49,000,000. The amount paid for the use of $20,962,000 would therefore be $28,028,000, or 4.45-100 per cent. That is the amount at the ruling rate of our five per cents on the day our loan was negotiated.

Hon. Mr. CARTWRIGHT rose and desired to ask a question.

Hon. Mr. TUPPER—I would rather not be interrupted as I am making a statement of figures. I will place these figures in the hon. gentleman's hands, and let him get the most experienced accountant in this country to deal with them, and endeavour to controvert the correctness of that result. Let me now examine the loan effected by the Hon. Minister of Finance by the same test and see what we paid for that, and what the rate was. My statement will give the hon. member $17,640,000, as the sum derived from £4,000,000 sterling, although he has told us that he only received $17,500,000, and I therefore give the hon. gentleman the benefit of that additional $140,000 in his calculation. Yet I shall show, notwithstanding this advantage of $140,000, what is the difference in the calculations, and that the loss suffered by the country from the negotiations of the Finance Minister is what I have stated. Let us now look at the calculation based on the terms obtained by the hon. gentleman. Assuming we received for $19,600,000 at 90, $17,640,000; we pay principal, $19,600,000; 30 years' interest at 4 per cent., $23,520,000. Under the terms of the loan we lose 130 days' interest at 4 per cent, for the hon. gentleman sold the bonds with accrued interest, giving the parties purchasing the bonds the advantage of accrued interest on the money before they had furnished it. The amount paid for the use of $17,640,000, $25,759,300, or 4.87-100 per cent. "Under the five per cents the country receives the use of $3,332,000 as principal more than it does by the CARTWRIGHT loan, and supposing at the same rate of interest Mr. CARTWRIGHT had succeeded in borrowing $20,972,000, instead of $17,640,000, the difference in favor of the five per cents. would be $2,612,000." These were the figures of a gentleman who published a letter in the *Globe* signed "Another Accountant," which statement none of the Government accountants had been able to controvert. I have instituted a comparison between a loan negotiated at the ruling prices of our five per cents. and the terms on which the loan was effected, and shown that the latter were two and a-half million dollars below the results which would have been obtained if the loan had been negotiated at the ruling prices of the five per cents. I am now going to apply the test which the Hon. Minister of Finance said was the true test, but I will draw from other sources. I will not ask hon. members to look at the United States, Belgium, or countries whose peculiar circumstances in regard to the negotiation of loans only become known on obtaining a thorough understanding of the whole question; but

I will take a loan negotiated in London by a country which ought not to stand in any more favorable position in the money market than Canada. I will draw attention to a loan negotiated by New Zealand at the same time as the Minister of Finance negotiated this loan. I will take that country with a population of 325,000, a country which with that population owed a debt on 1st June of £13,411,736 sterling, a debt which, taking our cash assets into account, is a greater debt for New Zealand, with its one-tenth of the population, than the debt of Canada; and yet its Finance Minister was able to go into the money market of the world, side by side with our Finance Minister, and negotiate a loan on better terms than were obtained by the Finance Minister of Canada. In the financial statement the Finance Minister of New Zealand (Hon. JULIUS VOGEL), made on the 21st July last, said "the £500,000 sterling negotiated at 4¼ per cent. realized £490,000 or 98 per cent., which making allowance for reducing the discount, is tantamount to borrowing at the rate of £4.12.6 per cent. Since then we have advices by cable that £1,500,000 sterling additional of a similar loan has been negotiated. When the Public Works policy was initiated it was calculated that the money required to carry it out might be obtained at 5½ per cent. interest. It is gratifying to know that the average rate of interest on the Public Works' loans yet negotiations including allowance for recovery of discount, amounts only to £4-14-11 per cent. the Hon. Finance Minister's loan, when we take into account the sum that is to be paid at the end of thirty years in excess of that received, costs us nearly £5.0.0 per cent." I am not going to deal further with the amount received, but I have simply contented myself with proving those facts of the question which required to be proved. There are other features of the loan which demand the serious attention of members of this House. I say that the Minister of Finance has adopted a new policy for Canada in the negotiation of the loan. I say he has established a precedent from which the most serious disasters might result to this country, if at any time it happened that the position of Finance Minister should be held by any gentleman of less strict integrity than the hon. gentleman opposite, I will not for a single moment insinuate that the hon. gentleman is capable, because I do not believe he is capable, of dealing with the financial interests of Canada in any way other than with strict integrity. But I say he has introduced a new principle in the negotiation of loans by which a less honest successor could at any moment put half a million dollars in his pocket, without the possibility of this House or the country bringing him to account. I hold in my hands the terms on which this loan was placed on the market, and after I have drawn attention to it, the House will agree that such a precedent is not in accordance with the principle of the public accounts in this country, which principle is this—that no man, from the highest to the lowest, is allowed to expend one dollar of the public money or handle one dollar if there is not means of having a close and accurate examination to ascertain whether the money was properly used or not. That is a cardinal principle, and this House will be unwise if it ever sanctions any departure from it. The Minister of Finance went into the money market of the world at the most favorable time. He went there at a time when our five per cents. were quoted at a premium of seven per cent., showing that the time was more favorable to negotiate a loan than any other in our history. Did he place this loan of twenty millions of dollars from a country which stands thus deservedly high, whose credit from the hour of Confederation had steadily risen, until it had reached a position of which Canada might be justly proud, on the money market as Mr. TILLEY and Sir JOHN ROSE did, and thus enable capitalists to compete for the loan, and obtain for us all the money possible. He did not adopt this course; he did that which was never done before in the history of Canada by any Finance Minister. With the example of those gentlemen before him, the present Finance Minister went to the money market and placed thereon a loan of twenty millions of dollars, and fixed the rate of interest and the discount. Now, what is the result? The result is this—If any one went to England and floated a loan of twenty millions, and fixed the rate of interest and the discount, competition was prevented. When the papers for which I have given notice are brought down, I

believe I shall be able to prove that forty millions were offered instead of the twenty millions asked for.

Hon. Mr. CARTWRIGHT said he could easily furnish the information desired by the hon. member for Cumberland. He got the loan taken up only from the fact that the agents themselves took one million of the bonds.

Hon. Mr. TUPPER—I thank the hon. gentleman for his information, because he has given me an important point—that the financial agents for the Dominion have themselves taken a considerable portion of the loan. It is important to the House that it should know that fact. Supposing forty millions had been offered, the hon. gentleman was prevented from accepting the increased amount, and obtaining for the people of Canada the advantages to be derived from competition among the capitalists. I say that a principle that enabled the person negotiating a loan to fix the premium and rate of interest, and also—and it could be done through the intervention of other people—to negotiate with the capitalist in this way—"What will you give me if I give you two, five or ten millions of Canadian debentures at a certain rate of interest and at a certain price?" It is purely a question of financial economy, and the capitalist might say, "I will give you one quarter or one half per cent." I have already guarded myself from being supposed to cast any imputations on the Hon. Minister of Finance. I have the most unbounded confidence in his integrity, but it is not with him I am dealing—it is with the principle which he has established for the first time which would enable another and less honest man in his position to put half a million dollars in his pocket, without the possibility of Parliament or the people of the country being able to discover it. But these are not the only objections I find to the terms of this law. I have already said that nearly three hundred thousand of accrued interest was paid to the parties who took this loan before they had advanced a dollar of the money. But that was not all. There is a clause contained in the terms of this loan calculated enormously to increase the value of these debentures, and which has never entered into the terms of any loan before. There is a contract in which it is stipulated that every man who subscribes a dollar to this loan shall have the advantage of our being compelled to invest in these bonds, one-half per cent. per annum of it in a sinking fund. What is the result? The result is that the holders of this loan have nothing to do but agree among themselves that they will not accept less than ninety-nine pounds on the hundred, and Canada is bound to take up one-third of this entire loan before the end of thirty years at the rate of ninety-nine pounds on the hundred. While that is calculated to give an enormously increased value to the loan, it is establishing a principle which has never been established before. It is true we are investing our sinking fund in five per cents., but that is done by Order-in-Council, and can be cancelled the moment it is found the holders of the debentures take any advantage of it. But here is a contract made by the Finance Minister, for the first time in this country, by which an enormously increased value is given to this loan, from the fact that the Government of Canada is compelled to invest a sinking fund on this loan. But there is a peculiar feature in this. The terms of this loan do not simply fix the rate of ninety and the interest at four per cent.; they do not simply stipulate by contract that one-half per cent. of this loan shall be invested in a sinking fund; they do more. There is no guarantee that the parties tendering for this loan would be dealt with with even-handed justice and without favouritism. I have absolved the hon. gentleman before from anything like the slightest want of integrity, but I shall look with interest to the return of the names of the parties who have received this loan, because I find a clause which enables the grossest favouritism to be practised—which enables the Finance Minister if he desires to give to one man all that he asks, and refuse another man a single dollar. And when the Finance Minister stated that the financial agents have received a million of the stock, he threw a certain amount of light upon the consultation which resulted in the adoption of this new untried experiment as far as the Dominion of Canada is concerned and I hope an experiment never to be repeated. I regret that it has been necessary that I should draw the attention of the House to the circumstances connected with this matter,

and I regret especially having been obliged to trespass so long upon the kind indulgence of the House in making such reference to the hon. gentleman's statement as I feel it, under the circumstances, my duty to do.

Hon. Mr. CARTWRIGHT said that, probably, without knowing it, his honorable friend had done the Government the greatest possible service which he could have bestowed upon it. He (Mr. CARTWRIGHT) had always been exceedingly desirous that the policy which this Government had adopted, and which he meant to adopt, should be fully contrasted with the policy of their predecessors. Beginning at the first of the honorable gentleman's statements, he would call the attention of the House to the statement that he (Mr. CARTWRIGHT) as Finance Minister discredited Canada because he refused to say last session that there was no commercial depression, whereas this year, finding that the depression had ceased, he had made that statement. He repeated that there was a considerable and remarkable depression in the two main interests of the country, and thought that he was perfectly justified, and that it was his bounden duty to state the fact that he had stated. As to the accusation that he had injured the credit of Canada because he had declared honestly and openly to the world that there was a deficit which must be provided for by increased taxation, what would the House say when he told them that the Hon. Mr. TILLEY, thirteen months previously, had told the country that there was going to be a deficit, for which he would have to provide for by increased taxation. He made the statement that there was to be additional taxation, because every man of common sense in the country knew perfectly well that new taxation was imminent, and it would have been the most ridiculous pretence for anyone to say that a single merchant of the slightest astuteness would have been deceived had there not been any reference to the increased taxation in the Speech from the Throne. He might remind the honorable member for Cumberland that one of his familiar friends had publicly stated at the Dominion Board of Trade, weeks before the House met, that there would undoubtedly be a considerable deficit. He (Mr. CARTWRIGHT) could not say that he attached much importance to it, but at the same time, as the honorable gentleman had made it a reproach to him that he had so stated, he (Mr. CARTWRIGHT) adduced that statement of the honorable gentleman he referred to as additional evidence of what every man in the country knew, namely: that there would be a deficit, and that increased taxation would therefore be necessary. As he had said, he was exceedingly glad that the honorable gentleman had contrasted the policy which the present Government had adopted, both in the matter of receipts and in that of expenditure, with the policy of their predecessors. The honorable gentleman had objected to his charging a certain item to income instead of to capital. He (Mr. CARTWRIGHT) had done so advisedly, and in strict accordance with the principle which he had always advocated. There was no more questionable entry ever made in the columns of any Public Accounts than the item of $610,000, made in 1868-9, chargable to capital by the Finance Minister of that day. He (Mr. CARTWRIGHT) had the gravest objection to that proceeding then, as he had, also, to the equally objectionable proceeding of charging to the revenue of the current year, large sums received on capital account from the Great Western of Canada. The only excuse for such a course was that the financial condition of the country was such that the Finance Minister was perhaps entitled to use every effort to place our position before the world in the best light possible. He came now to the graver question as to whether or not he and the Minister of Public Works had been justified in pursuing the course which they most distinctly indicated on the floor of the House they would pursue with reference to the items falsely and imperfectly charged to the railway account which they contended should be charged to incomes. He called the House to bear in mind, because they would have occasion before long to make further investigation into that matter, that for the last fifteen years the railways of Nova Scotia and New Brunswick had engaged the earnest attention of the honourable member for Cumberland, with what result let the report of Mr. C. J. BRYDGES and still more the answer of Mr. CARVELL show. He hoped that the policy of the Government would always continue to

differ from the policy of the member for Cumberland on this point. The next statement of the honourable gentlemen that the Government were bound to follow the evil ways of their predecessors in bringing down this comparative statement was too absurd to require any reply. The statement they brought down they were responsible for just as the late Government were responsible for the statement they had brought down, and if they (the present Government) chose to bring down an honest, open statement to the public, so much the better for the public, and so much the worse for those who covered a charge which should have been made to income under the false guise of capital account. Such a course might perhaps be excusable in certain railway companies suffering under financial embarrassments, but certainly that argument did not apply to the Finance Minister of this country. He desired it to be understood that what they had done in this matter had been done with the most deliberate intention. Their opinion was that it was a great mistake to allow capital account to remain open in the case of public works after those public works were once fairly constructed. The opposite course was offering in fact a direct premium to an improper mode of keeping public accounts. He had no doubt that his hon. friend the Minister of Public Works would explain the reasons which had caused him to place these amounts in the income account. However, as a principle he accepted most unreservedly the responsibility for it, and if his hon. friend the Minister of Public Works had done nothing more than to establish such a principle he would have done a very great service to this country. It might be asked how the Grand Trunk of Canada for instance got on if they adopted the same rule. Well, was it desirable that the Dominion of Canada should conduct their public works in the same fashion as the Grand Trunk Railway?

Mr. DOMVILLE—What did you send Mr. BRYDGES to the Lower Provinces for?

Mr. CARTWRIGHT said that he knew Mr. BRYDGES was an able and an honourable man, and he (Mr. CARTWRIGHT) was inclined to think that the hon. gentleman found he was a little too faithful in the discharge of his duties to serve their purpose. He (Mr. BRYDGES) had discharged his high trust with the utmost ability and fidelity. With respect to these expenditures he (Mr. CARTWRIGHT) might say that on coming into office he found these railways greatly run down and very badly managed; and therefore a large amount would be necessary to put them into a state of efficiency. It was quite true that he had stated that according to Mr. TILLEY'S estimate not more than twenty-two millions ought to be expected from the revenue unless an additional tax was imposed. In the first place that estimate was $260,000 less than Mr. TILLEY'S own. Mr. TILLEY, in his budget speech, admitted that there would be an income of $21,740,000 and the addition of Prince Edward Island, he (Mr. CARTWRIGHT) stated he believed would make the amount about twenty-two millions, and he had no reason whatever to doubt that that income would have been received had it not been for the direct effect of the new tariff. It was true that he took exception to certain items which Mr. TILLEY had estimated for; but in the general results he agreed with Mr. TILLEY, and he had no reason to draw back from that declaration. What he had said with respect to the $24,100,000 was that that amount would have been in the estimates had the sum estimated for by Mr. TILLEY been spent in addition to those which they knew would be spent. Nowhere from the beginning to the end of his speech would the hon. gentleman find the least indication that he expected that the expenditure would amount to $24,000,000. As to that most ingenious and original advice of the hon. gentleman, by which in estimating the expenditure of one year he proposed to add the surplus of the preceding year, all he could say was that he was afraid such an advice would put no money into the public treasury, certainly would not aid our credit abroad.

Hon. Mr. TUPPER—Did not Mr. TILLEY state to the House on bringing down his budget, that he proposed to meet the deficiency of three quarters of a million by the surplus of the previous year.

Hon. Mr. CARTWRIGHT said he did not recognise the propriety of carrying forward a surplus when they had an expenditure in capital account known largely to exceed that surplus. He might add, and he directed the attention of the House to the fact, that in the English

Parliament this practice of charging one set of expenses to capital account and another to income was very much discountenanced. With respect to the results of the increased tariff he had not said anything, as the matter would have been more properly discussed in detail at another stage. He simply desired to state that he had not altered, in the slightest degree, the views he had expressed last year, with respect, at least, to the modified tariff. No doubt the position of the country was much better since the present Government came into power. That followed as a matter of course, and he was glad to see that his hon. friend opposite appreciated it. With respect to the charge that they had caused any extravagance, as compared with their predecessors, it would certainly be a very serious one if it were true. If the hon. gentleman wished to make any comparison of that kind he would indulge him to a certain extent. Commencing with an expenditure of $13,500,000, hon. gentlemen opposite increased it to $23,500,000, for, as everybody knew, the expenditure for the year 1874 was practically fixed before the present Government came into office. The estimates were not fixed by the present Government at all, but by their predecessors. In view of these facts, he did not think it became hon. members opposite to charge the present Government with extravagance. Again, as to the charge that the present Government had increased the pensions and superannuation list, he would like to ask the hon. gentleman how he made out that the increase amounted to $144,000. According to his (Mr. CARTWRIGHT'S) calculation $84,000 was the utmost of the increase, and of that $50,000 was for an object which he was glad to find the hon. gentleman approved of. As to the superannuation list, he stated that the Government had acted in this matter strictly in accordance with the law, and he invited the criticism of hon. gentlemen on the point, adding that the Government were prepared to justify all that they had done. His hon. friend was exceedingly anxious to know why such an increase had been made in the customs. Now, as the customs were increased to the extent of $80,000 in 1874 by the direct action of the Minister of Customs, it was no wonder that the ex-Minister should feel a little angry that the present Minister should encroach upon his prerogative, and add $30,000 or $35,000 to that expenditure. He (Mr. CARTWRIGHT) had already stated that the greater portion of the expenditure was asked for in order to relieve the merchants of the large cities from an unfair tax, which was not imposed on the residents of smaller towns. He might add that the present Ministry on entering the Departments found such general abuses existing in it, that it was necessary to exercise the utmost vigilance and to employ the most inexpensive staff. He had no doubt his hon. friend would explain to the House the beautiful way in which the Customs Department had been administered by the member for Cumberland. In one place, specially honored as being his residence, and presided over by officers of his own choosing, it was the practice of merchants to receive their goods from the railway trains without the formality of a customs' entry. This was one instance out of many of the way in which the Customs Department was managed. He (Mr. CARTWRIGHT) next adverted to the criticisms of the hon. gentleman opposite upon the loan, and again showed by a comparison with other loans that it was one of the best loans that had been raised in the English market for the last twenty years. As to the statement of the hon. gentleman that he had lost two and a-half millions by not effecting the loan at 5 per cent., at a premium of 107 or 106¼, instead of 4 per cent. at 90, the statement was incorrect on its face, as any one could discover by making the calculation. With respect to the comparison which the hon. gentleman had made between the loans negotiated by some of the Australian colonies and New Zealand, he would observe that those loans were by no means so large as the loan he had effected, and moreover, those loans being 4½ per cents at 96 or 97½, were not any better than a 4 per cent. loan at 90, if as good.

Dr. TUPPER—They were issued at 98.

Mr. CARTWRIGHT—A small portion was issued at 98, but had to be withdrawn, and was afterwards taken at a lower rate. The fact was that the moment our loan was effected the Australian Colonies rushed in also to obtain four per cent. loans, but he was sorry to say that so far they had not succeeded. He might

also state that had the circumstances warranted, he could have bought back the whole of his loan within one month from the time it was secured, for a less sum than it was issued to the English public. His hon. friend had been good enough to say that he (Mr. CARTWRIGHT) had committed a most dangerous act in departing from the old fashion of tendering. He desired to say that before he resolved upon his plan, he took the best available advice, in addition to the advice of the financial agents of Canada. He also desired to state that precisely the same course had been taken by Sir A. T. GALT when he was Finance Minister. The fact was that it was always a very serious consideration whether the rate should be fixed, or whether tenders should be invited. The two cases the hon. gentlemen referred to, in which Sir JOHN ROSE and Mr. TILLEY had effected loans by tendering, were not similar to this loan, because they were effected under the Imperial guarantee. He had given the matter the fullest consideration, and had taken the best advice, and was satisfied that had they followed the course suggested by hon. members opposite, they would not have been able to obtain so large a loan at anything like the rate he obtained. The hon. member for Cumberland had drawn attention to the fact that he (Mr. CARTWRIGHT) had negotiated the loan at the best time; it was probably well known that he had selected the most favorable opportunity. But the hon. members mistake in supposing that he had found the credit of Canada was so very high in England that there was no difficulty in effecting the loan. The only thing that saved the credit of Canada from sinking very low was the fact that the House had inflicted condign punishment on the late Government. The credit of Canada had been very seriously injured in Great Britain by the action of the late Government, and if it had not been for the stain which had been inflicted on this country by their action, he would have been able to have effected it on still more favourable terms. He might add for the information of hon. gentlemen opposite that the very first questions put to him were—"What is your policy with respect to the Pacific Railway; we know perfectly well that you have been engaged on an insane project; that your resources are inadequate to carry out the engagement you have made with British Columbia, and it is our duty to tell you that you have two dangers before you. If you say you are going to carry out your engagements, no man will believe you, or trust you. If on the other hand, you repudiate them, you will sink to the position of the repudiating States of America. And it was because he was able to say that the Government of Canada, while not proposing to do impossible things were however, prepared, faithfully and honourably to redeem their obligations, and had imposed an additional tax of $2,000,000 upon the country in order to do so, that he had succeeded in this transaction. With respect to the allotment of the loan, he wished to say, that it was a matter of long negotiation between himself and the financial agents, before he could induce them to take that one million sterling. They were most anxious to escape from the responsibility and it was only by refusing to give them the loan at all that he was able to induce them to take it, and it was due to that arrangement that he had succeeded in placing the whole amount on the English market. As to the clause giving power to refuse an allotment to improper parties, he supposed that the hon. gentleman knew what a "stag" was. It was the practice of unscrupulous men to get improper possession of the original certificates, and every financier always reserved to himself and his principals the power of disposing summarily of the applications of this particular class of people. That was the reason for this clause, and it was not inserted in order that he or the agents might show favoritism to any one. Referring to the statement of the hon. the member for Cumberland that the late Government had reduced the taxation by $2,000,000, he (Mr. CARTWRIGHT) contended that inasmuch as this House had promised before that reduction of taxation to carry on the Pacific Railway as rapidly as the Finances would permit, it was only just that in making the arrangement with British Columbia that amount of taxation should be restored. He repeated, the fact was precisely as he stated, that had there been no additional taxation, there would have been a clear deficit in 1874 of one and a quarter millions, and in 1875 of probably two millions. We would have lost control of the market, and the scenes would have

been again repeated—scenes which the people of this country had not forgotten—which we witnessed in 1866 when Sir A. T. GALT was obliged to inform the House that he was forced to borrow money on Canadian bonds at 8 per cent., per annum. He would ask the House if they had forgotten that in 1866-67 our five per cents., now quoted at 106 to 107, had run down to the ruinous figure of 74 or 75 cents on the dollar. He had only to say to hon. gentlemen that if they desired to see these scenes renewed, they had only to transfer his friend from Cumberland from the other side of the House to this.

Hon. Mr. MITCHELL—Did that state of things exist during Mr. TILLEY'S administration?

Hon. Mr. CARTWRIGHT said it had not, to be sure, but it had been very nearly approached since Confederation. He did not blame Sir ALEXANDER GALT for the condition of things in 1866-67, for he was largely the victim of circumstances. While he hoped we should continue to be as prosperous as we were now, it was not impossible that we might live to experience a check. The hon. gentleman charged him (Mr. CARTWRIGHT) with crying down our credit. He had only to say in reply that he believed that in this, as in other matters, honesty was the best policy, and he knew that he was most likely to succeed if he went to the stock market with a straight forward statement of the manner in which he proposed to meet the liability. The policy of the Government and that of the Opposition were now fairly before the country, and before the House. They had, on one side, the fair, honest determination to fulfil the engagements into which they had entered, and trust for success to a fair and honest statement of their position—to performance rather than to promise—to administer the affairs of the country to the best advantage; and he left it to the House and to the country to judge whether the policy of the hon. gentleman was not of a very different kind. The propositions of the government would bear the strictest scrutiny, and they expected next year to be able to make some additional reductions. It might be impossible that they could carry out all that they anticipated, but they at least would do their best. The true comparison between the present and the late Government was the ratio of increase between the public expenditure during their respective administrations. He could only say in conclusion in reference to to the various items which had been mentioned that he would be very glad to supply his hon. friend with any information he might deem desirable. He thought on one point, at least, the House would be satisfied. The statement laid before them had at least the merit of being plain, and he thought that when the facts came to be fairly considered, the country would find that so far from the Government being chargeable with extravagances and inaccuracies that it was the very opposite, and that his own predictions of last year had almost all of them been fulfilled.

Hon. Mr. TUPPER said he did not ask leave to reply to the general argument of the hon. gentleman, but he thought the House would indulge him while he made a few remarks touching the insinuations which had been thrown out. To the insinuation that he (Mr. TUPPER) had any corrupt connection with any contractor in this country, or that he had thrown the slightest favor in his capacity of Minister of Customs, or permitted any friend of his to do this which it was not permitted to all men to do, or that he permitted any money to be directed into a channel into which it should not have been directed, he gave the most distinct and emphatic denial, and challenged any hon. gentleman that the moment they could make good any such charge he was prepared to vacate his seat in that House.

Hon. Mr. CARTWRIGHT did not mean to impute any improper meddling with the Government revenues. What he had to say was that most gross abuses had been discovered by his hon. friend the Minister of Customs, and were being corrected by him. He did not accuse the hon. gentleman with sharing in the peculations, but he would say that the investigation which had been instituted with regard to the affairs of the Intercolonial Railway, had exposed a state of affairs which did not redound very greatly to the credit of the hon. gentleman or the Government with which he was connected.

Hon. Mr. TUPPER said he was willing to enter into a most exhaustive examination, and discussion into the whole share that the late Government or himself had had in the administration of the affairs of that railway, and he was prepared

to challenge a most exhaustive enquiry.

Mr. DOMVILLE inquired why the Government had sent Mr. BRYDGES down to New Brunswick after he had been dismissed from the Grand Trunk Railway. The Minister of Finance had insinuated that he (Mr. DOMVILLE) knew why Mr. BRYDGES had been sent down. He would like the Minister of Finance to get up and state fairly what he had insinuated. The truth was that he had no charge to make, but crept round like a night assassin. He was here to defend the character of the merchants of the Lower Provinces, and his own character, from the foul aspersions which had been cast upon them. He believed there were corruptions, and he did not think that the Government could have selected a better man to ferret them out, than the Minister of Customs. There was an old saying, and a very true one, "set a merchant to catch a merchant." If corruptions had been committed in the Customs or on the Railways, it should be put an end to, no matter under whose administration they were carried on, no matter whether the right hon. member for Kingston, or the present Premier. Although he had not the honour to be one of the supporters of the Prime Minister, he had the honour to believe that that gentleman intended to do right. Although, as a Liberal, he might differ from him on some questions, he would never be found guilty of casting upon him those reflections and aspersions which the Minister of Finance had cast upon the merchants of the Lower Provinces. He was quite willing if the late Administration allowed any species of corruption, such as altering the value of invoices from England, sending down their poor clerks, who knew nothing of the contents of these invoices, and making them perjure themselves, that it should be put an end to, and he was proud to say that the present Administration had managed to do that which the late Goxernment were not able to do. There was nothing like appointing merchants to the position of Minister of Customs, in order that he might ferret out those things. Of course there had been abuses. If the Minister of Customs thought that he overstated the case he would sit down and let him contradict him, but he could not do it. He would say nothing more upon that point, because he was glad to know that in the future all this would be correct. As to Mr. BRYDGES being sent to the Intercolonial Railway, he thought that it would be admitted, at least by the members from the Lower Provinces, that the experiment had been a failure. For any Government, or any manager of a railway, to bring down a tariff which, it was stated distinctly, it was necessary to be applied to a railway to make it a financial success, and yet it was opposed by the voice of the people to depart from it, was, he thought, a most extraordinary procedure. If the policy had been correct in principle, or if it were the opinion of the Government that it was correct, it should not be departed from, at least until it had been proved that the revenue of the railway had thereby been reduced. In this case the matter had been worked thus: If a man had a lumber mill he was asked, "Do you support the Government?" "Yes." "Oh! you shall have a special rate for your lumber. You must bring it to town." But if he were a farmer the question was, "Did you support Domville?" "Yes." "Oh! you have only a few paltry bags of grain and flour to send, and you must pay for it at parcel rates," He concluded by complimenting the House upon the improvement apparent in the tone of the debate this year; and, after the speeches of the Finance Minister and the hon. member for Cumberland, he thought it would not be wise for him to enter at very great length upon the debate.

Hon. Mr. MACKENZIE said he did not intend to join in any formal debate. He merely rose to call the attention of the House to the extraordinary circumstances that find a prominent gentleman on the opposite side of the House for the first time really and earnestly contending that the Government shall charge certain expenditures to capital instead of revenue account. When he was in opposition he had a constant struggle with the Government of the day, and voted and spoke to charge such expenditures to income, and he was now really gratified to find a leading gentleman in the opposition insisting that we managed the accounts so as to charge it to income instead of capital. It was a most extraordinary thing for the leader of the Opposition to do, but he could only tell that hon. gentleman that the Government were

bound by the same principles on this side of the House, that the same gentlemen advocated when acting on the other side of the House. He considered the half a million which the hon. gentleman insisted was chargeable to capital should not be chargeable to capital, and it should not be chargeable to capital as long as he was connected with the Administration of the affairs of this country. He considered that when a public work was once fairly stocked and fairly in operation that everything connected with it should be chargeable to revenue, because the Government might alienate sums of money from other sources to meet their engagements which a private company could not have at their disposal. The building of additional stock, the obtaining of additional locomotives, making additional sidings, renewing the road with new rails, etc., were clearly chargeable to income and not to capital, and when the hon. gentleman copies my report in proof he seems to think I took the same view as he did. The report of a department like his was not written by the Minister, it was a mere gathering of documents and reports of the respective officers of the department; but there was a simple difference in drawing and working expenses, additions and renewals on the road. The superintendent proper had charge of the working expenses simply. The Chief Engineer had charge of the expenses on the road and so he would have in the future, and he (the Premier) intended that everything connected with the working of the railway should be charged to income, and not to capital. He was quite sure the business men of the House would sustain the Government in the position which they had taken. He would not say much on the topics spoken of by the hon. gentleman opposite, but he would consider it an unfair mode of comparison. The hon. gentleman instituted a comparison between the votes for which they asked the House for the approximate expenditure, and for the actual expenditure of the last year. He knew if they instituted such a comparison as that it would be a false one. It would be fallacious as far as giving information was concerned. Let him take the votes and the estimates, and compare them with the votes and estimates of last year; or let him take the expenditure for any given period under this administration and contrast it with the expenditure under any other administration. The hon. gentleman also alluded in very strong —he would not say offensive terms—to the increase of salaries in the Customs Department, but he supposed the hon. gentleman forgot that on the 31st of October, 1873, at the time they did not possess the confidence of this House, the late Ministry passed an Order in Council to increase the salaries on the Customs list $50,000 a year, yet the hon. gentleman did not scruple, to-night, to charge the whole of this increase on the present Government. It was true the present administration modified that order considerably by $20,000, and yet the hon. gentleman charged the Government, to-night, with making the very increase which the hon. gentleman had put his own hand to. (Hear, hear!) The hon. gentleman from Kings County had alluded very briefly to the position of Mr. BRYDGES as Special Commissioner on the Lower Province Railways. This was not the time to discuss Mr. Brydges' operations or reports, but it was somewhat curious to observe that gentlemen opposite, who placed Mr. BRYDGES as Chief Commissioner for the construction of the Intercolonial Railway ; who was left in the office to which he was entrusted by the gentlemen opposite—is was curious to notice that since that gentleman manifested a desire to investigate the workings and management of the different portions of the road, hon. gentlemen opposite were desirous of assailing him with every opprobious epithet. He was quite satisfied that they should attack Mr. BRYDGES as that gentleman was quite able to defend himself ; but he did not think it was particularly grateful of them to do so. When he came into office the very first thing Mr. BRYDGES did was to hand in his resignation, and he was the only one of the Commissioners who had the good sense and propriety to send in their resignations at once. The others waited until they were removed. He acknowledged Mr. BRYDGES' ability, although he had not the pleasure of being on the same side of politics as he had always been, yet he felt bound to retain his services as one of the ablest men in the country. He did not bind himself to agree with everything Mr. BRYDGES did or may do, but he was bound when a public servant was unjustly attacked to say a word in his favor.

Hon. Mr. TUPPER asked if he would be allowed to reply, as he thought the hon. gentleman had made a most important mistake when he said all the other members of the Intercolonial Railway Commission but Mr. BRYDGES were dismissed.

Hon. Mr. MACKENZIE said he did not say they were dismissed, but removed.

Hon. Mr. TUPPER said the hon. gentleman had stated in this House himself that Mr. WALSH had tendered his resignation without any pressure being brought to bear by the Government.

Hon. Mr. MACKENZIE said he forgot to state that Mr. WALSH went away on an election tour, a position which he knew would not be tolerated, and he wrote a letter telling him so, therefore it was equivalent to a removal. (Cries of "oh! oh!") What he meant to say was that there was no voluntary resignation of office except by Mr. BRYDGES, as the moment Mr. WALSH plunged into politics he could not remain. Mr. WALSH had the good sense to see this also and resigned, and he gave him credit for it. Only for the improper remarks of the hon. member for Kings County, he would not have referred to this matter at all. Every gentlemen in the House was in possession of the various tariffs published in Mr. BRIDGES' report, and the allegation brought to-night that some individuals had special rates because they were supporters of the Government was to say the least a gross impossivity. He was sure that such a thing never happened, as Mr. BRYDGES' had instructions to arrange for himself and his staff and act purely in the interest of the public as a commercial man. He could not dream that he would act according to political feelings, or under political pressure,to give special rates to any persons or class. He never heard of the accusation before; he never had a word or a line from a living soul or anything of the kind, and he was quite sure the hon. gentlemon was misinformed.

Mr. DOMVILLE said he meant to say, if he had not actually stated, that when a tariff was established on commercial principles in order that a railroad might pay, and not that the public might be accommodated, he thought that it did not say much for that tariff when they were compelled by pressure being brought, to alter it and to give special rates to this man and that man. He was not aware of having made any distinct charge of a special rate being given to political supporters.

Hon. Mr. MACKENZIE said he was glad that the hon. member had made no special charge, but had only insinuated one.

Mr. DOMVILLE said he was not one of those who insinuated without carrying out his insinuation. If he wished to insinuate, he could turn up one or two cases which he thought it would not be out of the way to investigate. It was not a proper thing for the Finance Minister to do to send the manager of a broken down railroad, who had been removed, to take charge of the railroads in the Maritime Provinces.

Hon. Mr. MITCHELL said he had not intended to make any observations during the course of this debate, but the constant attacks made from the other side of the House on the late Administration, of which he had been a member, compelled him to make some few remarks, particularly in reply to the Premier. That hon. gentleman had taken occasion to say that after a railway is built the Government policy was to close the capital account, and to charge all subsequent expenditures on the line to the income of the railway. He asked if this was the policy of the Government with regard to the Spring Hill branch, the extension at Halifax, the extension to the wharves at Shediac, and the extension to the harbor of St. John? When the New Brunswick railroad was built by the Government of that Province, it was constructed on a very limited scale. Although it was well built, the Government, of which he was a member, were not able to finish it as elaborately as the requirements of the present day demanded. Was it to be said that because of this the extensions which were now to be constructed at an expense of millions of dollars, were to be charged to income? The idea was preposterous. They might as well say that the expenditure in laying steel rails on the Grand Trunk Railway should be charged to the income of that road. He did not hesitate to say that the treatment the New Brunswick railroads had received from the Administration of the day had been most unfair. New Brunswick when it entered the Confeder-

ation was poor. During the construction of the Intercolonial Railroad the rolling stock of the railroads of the Province was taken to that line, and it was only last year that they were able to replace it with new rolling stock, and to renovate the track with improved rails. It was felt that the expenditure for this purpose should be charged to capital account, and the appropriation for that object was voted by the House. If the policy of the Administration of the day was to charge such expenditures to income, they should change it as soon as possible. He could understand why it was desirable this year that the accounts should show that the past Administration had run the country to a very low ebb, and in order to do this it was advisable that this large expenditure should be put into income and taken out of capital account. He did not mean to say that was the object of the Finance Minister, but it was a very plain conclusion to arrive at as to the policy of the Administration. One word about Mr. BRYDGES. This was not the time, and he was not going to animadvert upon his conduct, or on that of the Administration by whom he had been employed. He believed Mr. BRYDGES to be a very able man, but he also believed that in the course he had pursued in relation to the construction of the Intercolonial Railway if he had given as much attention to that as to the commission with which the hon. Premier had charged him, we would have had the railway running to-day. With regard to the tariff established by Mr. BRYDGES he, Mr. MITCHELL, would say that when the railway was built by New Brunswick it was not with the expectation that it would bring a commercial return, but as a great Provincial work for the benefit of the Province; and the tariffs that were fixed were not based on commercial principles, but with a view to the extension of commerce, and the settlement of the colony. When the Province entered Confederation the railway which represented actual cash for every dollar expended on it was handed over to Canada. It was not less remunerative than the Grand Trunk Railway in which Canada had £3,000,000 sterling invested which yielded no return, or than the investment in the Northern Railway which the House had been asked to give up for a mere song. Hon. gentlemen should remember these facts when they said that there must be commercial return for the millions expended in the construction of the New Brunswick Railway. When Mr. BRYDGES went down and established a tariff on a commercial basis he outraged the opinion of every sensible man in New Brunswick who knew the way they had been taxed to build that railway. Were the St. Lawrence Canals, or the Welland Canals works which had been managed on a commercial basis?

Hon. Mr. MACKENZIE—Yes.

Hon. Mr. MITCHELL said they were not, and challenged the hon. gentleman to prove his assertion. He, Mr. MITCHELL, could show that they paid only two per cent. on outlay, and even that would have been lost if the Reciprocity Treaty which was so nearly forced upon us—which, thank GOD, had been burked—had passed. There had recently sprung up a trade between Montreal and Toronto, and the Lower Provinces. That trade Mr. BRYDGES' tariff was killing. Thousands of barrels of flour, which formerly went by the Gulf of St. Lawrence, would now go by the Boston, and the New York routes, which before could not compete with the Canadian route. Seven years ago only one small steamer was engaged in this interprovincial trade. Last year thirteen steamers were employed in that trade. With these high tariffs the merchants of Montreal and Toronto would not be able to compete with the millers of Ohio. He believed that Mr. BRYDGES had been sent to the Lower Provinces with instructions to place the Railways there on a commercial basis, whether in doing so the country was injured or not. He warned the Premier that the sooner this tariff was altered the better, if he did not want to destroy the trade which was helping to build up Ontario, as well as the Maritime Provinces. He believed he was uttering the sentiments of the people of New Brunswick when he said that the tariff gave universal dissatisfaction.

Hon. Mr. SMITH said the hon. member for Northumberland had professed to speak for New Brunswick, he, (Mr. SMITH) knew something of New Brunswick, and he wished to state distinctly that he did not acquiesce in all that had been said by his hon. friend with reference to that Province. At a fit and proper time, when Mr. BRYDGES' report was before the House, he

would give expression to the views he entertained on the subject.

Hon. Mr. MACKENZIE said the estimates would show that the extensions at Halifax and St. John were beyond the limits at which they had been located, and were therefore very properly charged to capital account.

Hon. Mr. MITCHELL — To what account is the Spring Hill Branch chargeable?

Hon. Mr, MACKENZIE—That is a mere siding.

Hon. Mr. MITCHELL—It is five miles long.

Hon. Mr. MACKENZIE said the Spring Hill branch, in fact, did not belong to the Dominion at all. The improvement which was to be made was to facilitate the traffic of the road, and therefore came under the ordinary expenditure chargeable to income. He was not aware that he had said anything to provoke the hon. member for Northumberland, but the late Administration could not expect immunity from criticism any more than the present Government. He had no intention to say anything offensive.

Hon. Mr. MITCHELL said that the Finance Minister had brought the name of Mr. BRYDGES into this debate. He assured the hon. Premier that though he spoke more feelingly than more cold-blooded men, he was not out of temper.

Hon. Mr. BURPEE explained with reference to the increase in the expenditure of his department that it had been going on for the past five years. In the four principal ports of Ontario and Quebec, merchants had been charged for the examining of their goods, for carrying goods from their vessels to the warehouses, and so much for package for examining them afterwards. To remove such charges, as in other ports, would require $16,000. Another warehouse in Toronto would cost $1,000 a year. In the Gauging Department it was found that a great deal of bonded goods had been passing through from the cities to the smaller towns and villages in the interior, without any proper checks to prevent them from being taken from the warehouses and stations by the merchants who, in many cases did not know they were in bond. The department had been obliged to provide warehouses in many places, and also checks to show that the goods were in boud. The old system had been going for years, and it was found that some $70,000 or $80,000 in duties had been lying over since 1868, uncollected. This would add to the expenses of the department. He would submit a detailed statement when the estimates were before the House.

Mr. PLUMB complained of the manner in which the public accounts were submitted. They were calculated to mislead any one who did not examine them very carefully, and create an impression that a saving had been effected where there was none. When it was remembered that the late Government had expended over $11,000,000 in works which were usually chargeable to capital, it showed that through their management that they had a surplus and chose to use it in that way. In regard to the loan negotiated by the Finance Minister, he (Mr. PLUMB) believed it was a very successful transaction, because under the circumstances, after the damaging budget speech of the Finance Minister last year, it was surprising that he could have negotiated a loan of that magnitude at all. It showed that the financiers and capitalists of Great Britain had more confidence in Canada and in its resources than the Hon. Finance Minister. That our credit was so good abroad was due to the able speech of the hon. member for Cumberland. He had shown that there would be no deficit, and though he was laughed at by the Ministry and their supporters, the statement at the end of the financial year proved the accuracy of his prediction. With regard to this loan it was rather peculiar that there was another Canadian loan on the English market at the same time—that was the Ontario Loan. The contrast between the statements of the Finance Minister of the Dominion and the Treasurer of Ontario was striking. One endeavored to show that the country was in a very depressed and deplorable condition, while the other brought every device of book-keeping to bear to make a flourishing statement. He concluded by saying he was willing to rest the case on the Opposition side on the figures of the hon. member for Cumberland. That they could be successfully controverted he would be very much surprised to learn,

and he did not envy the man who attempted to match himself against the truth of these statements.

Mr. GOUDGE said he did not rise with the intention of addressing the House at any considerable length to-night, for after the very clear and succinct statement of the Prime Minister, as well as the able criticism of the hon. member for Cumberland, the House would be in possession of all of the facts which was necessary and desirable connected with the administration of the financial affairs of the Dominion. He was happy as a supporter of the Government to say that he had been perfectly satisfied with the statement, and also with the supplementary statement of the Finance Minister, in answer to the hon. member for Cumberland. But as the subject of the Intercolonial railway had been introduced into the debate, which was one in which Nova Scotia and New Brunswick were very much interested, and as he represented a county through which the railway runs, he felt that he could not allow the present opportunity to pass without expressing the hope that when this question came up, as it would come up, it would receive due consideration at the hands of the Ministers, and he trusted they would be prepared to concede the views of the members of Nova Scotia with respect to this subject. He knew it was a grave question, and one that had given the Government much trouble, but it was one which the people of the Maritime Provinces thought should receive due consideration from the hands of the Government, which, he believed, it would receive. His only object in mentioning this matter was to put himself, as a representative of Nova Scotia, right on this subject, and to show to the people of Canada and this House that this was a question in which the people of Nova Scotia and New Brunswick felt they were very much interested, and one with which they would be prepared to deal when it came before the House in its proper order. He felt that the present was not the proper time, and he would not therefore further discuss the subject.

On the motion being carried, the House went into Committee of Supply, with Mr. SCATCHERD in the Chair.

The Committee passed some formal items, and then rose and reported progress, and asked leave to sit again.

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at 11.45 p.m.

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ERRATUM.—The following was omitted in the speech of Mr. BOWELL upon the question of amnesty, delivered on February 11th, and should have followed the telegram signed "A. MORRIS," on page 21 of that day's proceedings :—

"That the Minister of Justice (Mr. DORION) or some one on his behalf, did have an interview with RIEL, is proved by Bishop TACHE, who says :—

"I wrote to Father LASCOMB immediately after the communication with Mr. MORRIS, about the first week in January, that very likely the Canadian Government would open negotiations with him about RIEL'S election ;" and that Father LASCOMB informed Bishop TACHE that Mr. DORION had communicated with him, either directly or through some one else."

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HOUSE OF COMMONS.

Wednesday, February 17th, 1875.

The SPEAKER took the chair at three o'clock.

Mr. SPEAKER brought down a certificate of the election of THOMAS GREENWAY for South Huron ; also, a list of stockholders of the Metropolitan Bank on the 15th Feb., 1875.

CRIMINAL PROCEDURE.

Hon. J. H. CAMERON introduced a Bill to amend the law relating to criminal procedure. He explained that the object of the measure was to provide for the taking of evidence by Commissions, under certain restrictions, in criminal as in civil cases, where it might be necessary.

The Bill was read a first time.

PROMISSORY NOTES.

Hon. J. H. CAMERON introduced a Bill to amend the law relating to bills of exchange and promissory notes. In one particular the law relating to bills of exchange was in a very anomalous condition. In the various Provinces the rate of damages on protested bills of exchange varied from four to ten per cent. He believed very recently the Dominion Board of Trade had passed a recommendation that there should be an entire change

respecting the question of damages on notes, placing it in the same position in Canada as that in which it stood in almost all commercial countries. He proposed by this Bill to do way with all the laws existing in the several Provinces on the subject of damages, and place them all on a uniform footing, and make the amounts recoverable on a bill of exchange, in addition to the amount of the Bill itself—the interest on it, the expense of noting and protest, and the amount necessary for exchange and re-exchange—the same in all the Provinces of the Dominion.

The Bill was read a first time.

PROTECTION TO LIFE ON WHARVES AND DOCKS.

Mr. COOK introduced a Bill to provide means of escape for persons falling into the water in the vicinity of wharves and docks. He explained that many lives were lost by persons falling from wharves where there were no means of reaching them. This Bill provided that ladders should be attached to all wharves and docks at distances of not less than twenty feet apart.

The Bill was read a first time.

NAVIGATION OF THE SAGUENAY.

Mr. CIMON asked whether the Government are aware that there exists in the River Saguenay, at the place known as Bras de Chicoutimi, a shoal of about half a mile in length, on which, at low tide, there is not a sufficient depth of water to allow steamboats and the numerous other vessels trading in those waters to pass on their way to Chicoutimi, their port of destination; and whether, being aware of that fact, it is the intention of the Government, in the interest of commerce and navigation, to instruct their Engineers to visit the locality and report as to the works required to be done to enable vessels to reach Chicoutimi in all states of the tide?

Hon. Mr. MACKENZIE—I am not aware of the fact stated by the hon. gentleman, but I will make inquiries respecting it.

NAVIGATION OF THE MIRAMICHI.

Hon. Mr. MITCHELL asked whether it is the intention of the Government to expend during the coming season a sum of money in the improvement of the navigation of the south-west branch of the River Miramichi, from Newcastle to Boiestown?

Hon. Mr. MACKENZIE—I am not intimately acquainted with precise location referred to by the hon. gentleman, but it is the intention of the Government to remove some obstructions in the river Miramichi above the railway bridge so as to enable small vessels to ascend the river, and I presume the portion of the river referred to by the hon. gentleman is included in that arrangement.

Hon. Mr. MITCHELL—I would ask the attention of the Hon. Minister of Public Works to the propriety of spending a small portion of the sum placed in the estimates in improving the river above the place mentioned in the estimates. If the hon. gentleman will make inquiries into that matter I shall be obliged.

Hon. Mr. MACKENZIE—Certainly, that will be done.

Hon. Mr. MITCHELL asked whether it is the intention of the Government to expend any sum in the deepening of the bar at the entrance of the Miramichi river during the coming seasion?

Hon. Mr. MACKENZIE—It is the intention of the Government as soon as the new dredge now built on the Clyde comes out, to straighten the channel at this point. The hon. gentleman may be aware that it was only deferred last year because of our inability to furnish the necessary dredge power.

Hon. Mr. MITCHELL—I am quite satisfied with the explanation.

ALLOTMENT OF LANDS TO THE HALF-BREEDS.

Mr. RYAN asked why the allotment of lands to the children of the half-breed heads of families under the provisions of the "Manitoba Act" has been stopped, and when the distribution of said lands will be made.

Hon. Mr. LAIRD—The hon. member for Marquette is aware that a year or two ago a certain quantity of land was set aside for the children of Half-breeds. When the Department undertook to proceed with the draining of these lands it was found that there were a number of claims to a considerable portion of the lands so set aside. These claims were of two kinds. One class was what were called "staked" claims, the parties having staked off the land or ploughed around it after the negotiations for the transfer of the territory had commenced, thought they had thus acquired

a sort of title to it. The other class, who had, perhaps, a somewhat better show of right, were those who had made surveys before the opening of negotiations for the transfer of the territory, but who had not become settlers or made any improvement on the land thus surveyed. The Department could not proceed with the allotment of lands to the children of the Half-breeds until these claims were disposed of. They were referred to the Minister of Justice. The Department received the report on one class of these claims some time ago and recently the report on the other class, and now is prepared to proceed to the allotment.

Mr. RYAN asked when the distribution of land or scrip will be made to the Half-breed heads of families, under the provisions of the Act of last session, entitled "An Act respecting the appropriation of certain Dominion Lands in Manitoba."

Hon. Mr. LAIRD—In order to obtain some kind of proof as to whether parties applying were really Half-breeds it was necessary to have a Commissoner to receive evidence respecting the applications. It was thought advisable that the claims of the Half-breed heads of families and those of the children of the Half-breeds should be considered at the same time by the Commissioner, and this had caused the delay in the case of the parties referred to in the last question of the hon. member for Marquette.

CLAIMS TO UNPATENTED LANDS IN MANITOBA.

Mr. RYAN asked whether it is the intention of the Government to repeal or amend the "Act respecting claims to lands in Manitoba for which no Patents have issned," or to provide another method than the one therein provided for the trial of claims for Patents under the Manitoba Act.

Hon. Mr. LAIRD—It is the intention of the Governmet to amend that Act in order to provide a less expensive machinery for the trial of claims for patents than the one now in operation.

LIMITS OF INSPECTION DISTRICTS.

Mr. HORTON asked whether the Government have determined the Territorial Limits of the Inspection Districts under Chapter 47, 36 *Victoria;* and if so, what are the limits of the Inspection Districts for the Province of Ontario?

Hon. Mr. GEOFFRION—The divisions have not been made, but they will be made within a very short time.

POST OFFICE MONEY ORDERS.

Mr. LANDERKIN asked whether it is the intention of the Government to reduce the percentage now charged on Post Office Money Orders.

Hon. D. A. MACDONALD—It is not the intention of the Government to make any change at present.

STAMPS ON PROMISSORY NOTES.

Mr. LANDERKIN asked whether it is the intention of the Government to abolish Bill Stamps now used on Promissory Notes.

Hon. Mr. CARTWRIGHT—It is not at present the intention ot the Government to abolish that tax, but the Government may possibly consider the expediency of repealing that portion of it which affects very small notes.

LIGHTHOUSE ON ISLE OF HAUTE.

Mr. GOUDGE asked whether the Government intend during the present year erecting a light house upon the Isle of Haute in the Bay of Fundy.

Hon. Mr. SMITH—The subject is under the consideration of the Department and my present impression is that a light house will be erected on that isle in the course of the year.

PREPAYMENT OF MAIL MATTER.

Mr. BURPEE (Sunbury) asked whether the Government intend during this Session to introduce a measure compelling the prepayment of all matter carried by mail in this Dominion.

Hon. D. A. MACDONALD—It is the intention of the Government to do so as far as the Dominion is concerned, but of course the measure could not apply to mail matter from abroad.

BALLAST WHARF AT ST. JOHN.

Mr. DOMVILLE asked what progress has been made towards opening for traffic the Branch Railway of the Intercolonial to the Ballast Wharf, St. John, N. B.; also, whether any, and what arrangements, have been made to acquire the Ballast Wharf from the Corporation.

Hon. Mr. MACKENZIE—No progress whatever has been made. The offer made

by the city was such that the Government could not accept.

INTERNATIONAL MONEY ORDER SYSTEM.

Mr. SCRIVER asked whether the Government have made or intend to make any effort to effect an arrangement with the American Government for the establishment of an International Money Order System.

Hon. D. A. MACDONALD—Arrangements have already been arrived at by the Government of the United States by which the evil complained of will be done away with.

CENSUS VOLUMES.

Mr. ROSS (Middlesex) asked when the remaining volumes of the census of 1871 are to be brought down.

Hon. Mr. MACKENZIE—I believe they are all now in the printer's hands, and they will be brought down as soon as printed.

RECOVERY OF LOST GOODS ON INTERCOLONIAL RAILWAY.

Mr. FISET asked whether it is the intention of the Government to provide, by special legislation, regarding the Intercolonial Railway, means for the recovery of lost goods or effects.

Hon. Mr. MACKENZIE—It is not the intention of the Government to ask for any special legislation on this subject. I presume what the hon. gentleman wants to know is whether special means will be afforded to persons to institute actions against the Government for indemnity for loss sustained on the Government railways. The Government can only say that they will be always prepared to fulfil any obligations that may fairly devolve upon a railway company, but they did not intend to propose any legislation to give peculiar facilities for obtaining redress.

NAVIGATION OF THE FRASER RIVER.

Mr. THOMPSON (Cariboo) asked whether it is the intention of the Government to proceed this year with any work for the purpose of rendering navigable any portion of the Fraser River between Lillovet and Soda Creek; and if so, of what nature.

Hon. Mr. MACKENZIE—I made inquiries respecting this part of the river with the intention, if I found it was likely to be of any material use in the prosecution of the Pacific Railway, of placing a sum in the estimates for the purpose of making some improvements. The Chief Engineer reports that it can be of no service, so far as he is aware, and therefore in the meantime the matter will stand in abeyance.

IMPORTATION OF LAND PLASTER.

Mr. GORDON moved for copies of Returns to the Customs Department :— 1st, For the entire quantity of land plaster imported into the Dominion of Canada from the United States since the 1st of April 1874; 2nd, For the respective quantities of said plaster imported from the United States as received at the several lake and river ports of the Dominion; 3rd, For the entire sum collected as revenue from the said article of land plaster between the 1st day of April and the 1st day of December 1874. He said the subject which he desired to bring before the House to the motion for the returns, was one of considerable importance to a large section of the agricultural community of Canada. The matter complained of arose through a mistake. The article of ground gypsum, or land plaster, was largely used for manure by the farmers of Western Ontario. The farmers of Central Ontario received extensive imports of the article from the United States, while those residing in the Western section derive their supplies from the beds on Grand River. Up to last year no duty was levied on this article; but since then at Toronto, Whitby and Oshawa duties were collected at the rate of 17½ per cent. or 20 cents per barrel, while at Bowmanville no duties were collected. During last session he put the question direct to the Finance Minister—whether it was the intention of the Government to impose a duty on that article; and he replied that it was not. Notwithstanding this declaration, a duty had been collected at the ports he had named. He therefore brought forward this motion to have the matter remedied, and in doing so he had received the assurance of the Government that the duty was collected by mistake, and that it was not their intention to impose any further duties. Motions had been brought before the House for special committees to deal with the grievances of the farmers. He believed when such committees were moved for, no practical object

could be gained by their being granted, because the House could not remedy the grievances, for they asked for protection to the farmers; but in the article of manure it was the desire of the Government to offer the utmost facilities for the importation of articles used in the improvement of land. With respect to the latter clause, seeing that unfairness had been shown to several counties, it would be fair for the Government to make a return of the duties. That could not be made to the importers, because it would be so much profit ; or to the farmers, because it had passed into so many hands ; but the Government could make a grant to the Agricultural Societies of the counties in which duty had been paid, and he hoped the Government would accord that justice to the counties which had been aggrieved.

Hon. Mr. CARTWRIGHT said the hon. member for North Ontario was correct in the statement he had made to the House, and it was not the intention of the Government to tax any article used as manure. Steps were now being taken to remedy the evil complained of. As to the suggestion that the Government might make a grant to the agricultural societies of the counties referred to, he was not sure the Government could comply therewith, but the evils complained of might be removed.

Hon. MALCOLM CAMERON said that the difficulty had no doubt arisen from the fact that plaster was used for agricultural purposes and also as stucco.

Hon. Mr. BURPEE said the difficulty was being removed. It was never intended that plaster for stucco work, worth four or five dollars per barrel, should be admitted free of duty ; but the inferior quality, which was worth only ninety cents or one dollar per barrel and was used for manure, would be admitted free. The necessary instructions would be given to the Custom's officials.

Mr. GOUDGE called attention to the fact that the United States impose a duty on ground plaster imported from Canada ; they admitted crude plaster free of duty, but not ground plaster. The article was one which entered into the proposed Reciprocity Treaty. While he would be very sorry to interfere in any way which would militate against the interests of the farmers, yet, he saw a practical difficulty in deciding between the qualities suited for stucco purposes and that for ground plaster. What they did in the United States, and what he thought the consumers should do in North Ontario was to obtain the plaster in its crude state and manufacture it for themselves, thus building up a new industry in their midst, and obviating any difficulty found to exist in the West in discriminating between the two kinds of plaster.

The motion was adopted.

BOUNDARY LINE BETWEEN BRITISH COLUMBIA AND ALASKA.

Mr. ROSCOE moved an address to HIS EXCELLENCY the GOVERNOR GENERAL praying him to call the attention of HER MAJESTY'S Government to the necessity of having the boundary line between British Columbia and Alaska as soon as possible defined and surveyed. Mr. ROSCOE said if he was to move the resolution, of which he had given notice merely, with the remark that the commercial and other interests of British Columbia required the boundary line between that Province and Alaska to be defined and settled as soon as possible. He did not suppose there would be any opposition to the motion, but he thought he might fairly assume that the House would wish, if not expect, to be informed, firstly, as to the nature of any questions which may arise, or have arisen, concerning that boundary line ; and secondly, as to what had occurred which in his opinion rendered an immediate settlement of that question necessary ; and he would, therefore, give the information he considered necessary. If the map of North America be referred to, it will be seen that the Territory of Alaska consists chiefly of that part of the continent lying to the west of the 141st degree of west longitude, and also of a narrow strip of the coast extending from the 60th to the 56th degree of north latitude. As the 60th degree is the boundary line between British Columbia and the North-West Territory, the only part of the boundary line of Alaska to which his motion had reference is the boundary line of this narrow strip. This was settled by the treaty between Great Britain and Russia of 1825 ; previous to that date there had been endless disputes between the various fur companies which represented the interests of their respective countries in this part

of the world, and when a settlement was made in 1825 it was found that while the Russian American Fur Company had made various settlements along the coast, the British companies had acquired the whole interior of the country. A settlement of the boundary line was therefore made on the understanding that Russia should keep a narrow strip of the coast, the boundary of which was defined to be the range of mountains running parallel to the coast, but it is further stipulated that wherever this range of mountains is at a greater distance than ten leagues from the coast then the boundary line shall run at this distance. In 1867 this territory was sold by Russia to the United States, but of course in any question concerning the boundary line we have to go back to the original treaty of 1825. It is doubtful, however, whether this question would have arisen but for the discovery of gold in this part of the Dominion. As long ago as 1862 gold was found in the Stikeen River, and since that time there have been prospecting parties in search of diggings in this region, and two years ago these were discovered at a place called Deas Lake, situated about 80 miles east of the head of navigation on Stikeen River. Last year upwards of 2,000 miners were engaged in these diggings, which were found to be both rich and extensive, and in future we may look forward to a large immigration to this region. The only practicable way of getting to these new diggings was by ascending the Stikeen River, of which we have free navigation, and in regard to this I would remark on what appears to me a somewhat remarkable fact. By the treaty of 1825 we had given to us forever the free navigation of all rivers which may cross the line of demarcation referred to, yet in the treaty between the United States and Russia no reference whatever is made to this clause, and I fail to understand how Russia could have sold this territory to the United States unless subject to any rights acquired by any third parties, and, if this was so, he also did not understand why it was thought necessary in the treaty of Washington to concede the navigation of the rivers Stikeen, Porcupine and Yuckon in the British Territory in return for the free navigation of these rivers while flowing through the United States Territory, if we possessed this right before. As soon as the trade up the Stikeen began to assume some proportions the officer commanding at Fort Wrangel,—in whom it appears is invested the Government of the territory,—measured a distance of 10 leagues from the coast, and placing a post there, declared this to be the boundary between British Columbia and Alaska. In consequence of the windings of the river, it seems that this point is between 60 and 70 miles up the river. Now, if the statements of the traders and others going up the Stikeen are correct, it appears that the range of mountains which really defines the boundary line crosses the Stikeen at a point only 15 miles from the coast. He would point out how important the possession of the river between these points would be, especially to his constituents, the merchants of Victoria. It appears that above the present boundary line the Stikeen is so shallow that no steamers which could go there could also go out to sea. Goods, therefore, have to be sent from Victoria to Fort Wrangel, and transferred there to the river steamer, and it has been found that this has been accompanied with much annoyance, risk and expense; and after the goods are placed on the steamer, a Custom House officer is placed on board, who accompanies the steamer as long as she is in American waters, or what the officer commanding at Alaska is pleased to consider American waters, the expense being borne by the steamer. There was also another grievance which he was sure the hon. member for Vancouver will appreciate. As soon as he comes on board, this officer locks up the bar, puts the key in his pocket, and during the voyage the unfortunate diggers cannot get a drink. Now, if the boundary line were placed where we conceive it ought to be, a steamer would probably be able to run from Victoria to a point on the river above the boundary line, or at all events a steamer which could run there would also be able to run out to sea to Fort Simpson, and goods could therefore be transferred on British Territory. The great annoyance and expense of transferring goods on the United States Territory would thus be obviated. There were other reasons why this boundary should be fixed as soon as possible. It was said that important discoveries of silver and gold bearing quartz mines have been

made in the disputed territory, and until it is settled in which country these mines are, these sources of wealth will probably remain undeveloped. There may also arise some unpleasant complications in consequence of persons settling in what they consider British Territory, and resisting by force any attempt made to remove them. Since he had put this motion on the paper he noticed in the estimates a sum of $100,000 for this survey, but from what he had stated it would be seen that this was not merely a question of theodolites, but that an important question as to the interpretation of the treaty had to be settled first. The hon. member concluded by moving adoption of motion.

Mr. DECOSMOS rose to concur in the remarks of his hon. colleague who had explained the difficulties interposed by the American authorities to our trade in that part of the Dominion, but he believed that the wiser course would be, if the Governments of the Dominion and Great Britain could agree with the United States Government on the subject, to sell to Canada that portion of Alaska stretching from the 141st meridian West to the 131st meridian West. There was a territory there including an archipelago of 11,000 islands running along the main land of the territory three or four hundred miles, the strip measuring in English statute miles from the coast about 34 miles. The whole of this territory measures about 25.000 square geographical miles. If our Government would pay a reasonable sum for this territory, we would obviate all the difficulties now existing, and which must continually exist in the future if that region were habitable. So far as the population of that belt was concerned there were about 6,000 Indians ; and not more he believed engaged in the fur business along that coast than two or three hundred persons—perhaps less. The United States had bought the Alaska territory, containing 580,000 square miles, for about $7,200,000, and he saw no reason why considering what the United States itself had given, we should not be able to induce them to cede that portion of their territory to Great Britain for a million dollars.

Hon. Mr. BLAKE—Hear, hear !

Hon. Mr. DECOSMOS said the hon. gentleman from South Bruce, who had recently pronounced in favor of nationality and a new departure, ought to be willing to make a new departure in the interest of Canada to enlarge our Dominion and get more land by which the nationality could be extended.

Hon. Mr. BLAKE—What about the people ?

Hon. Mr. DECOSMOS said the people would soon be added if we had the land. By the plan he proposed there would be no divided sovereignty. He believed, when we looked at the mountainous character of this belt, that it would cost nearly as much to make a survey of it, to both Governments, as it was practically worth at present. When they came to ascend mountains 3,000, 5,000, and 14,000 feet high to form a boundary, it would be found most expensive. With reference to the convention between Russia and Great Britain of 1825, and the subsequent Treaty of Washington giving the free navigation of the Stickeen River, he would remark that there were two other rivers —the Tako and Chilcot—which might yet be found useful as a means of carrying the mineral wealth of British Columbia north of the 300 mile belt out to sea. And it will be necessary in the interest of British Columbia to enter into further negotiations with the United States in order to define our rights. In addition to that, if mineral discoveries should be made in any part of this belt—and from the geological formation there seemed to be no doubt such would be made—it would be found that American claims on the Alaska side would run into Canadian territory, causing endless disputes. He moved in amendment to the resolution before the House that all after the word "survey" be struck out, and the following added :—"And the desirability of acquiring that portion of the territory of Alaska extending northwestwardly from 54° 40′ north latitude to the meridian of Mount St. Elias."

Hon. Mr. MACKENZIE said it was all very well for his hon. friend to bring the subject up. It was one of very great interest and had engaged the attention of the Government for some time. Negotiations had already been had through the proper official channel with the Government of the United States on this subject. It was one, however, that would not be promoted by the passage of his hon. friend's motion here, and the amendment by the hon. member behind him (DE COSMOS)

was of course entirely inadmissable. A motion of that kind could not seriously be proposed in the House. He (Mr. MACKENZIE) was quite aware that the real difficulty at present was simply the Stickeen River. Under the convention of 1825, the boundary had in the plans exceeded a distance of ten leagues from the coast, and the real difficulty existed in taking these ten leagues from the mouth of the river, instead of following the ridge of hills to a point where it strikes the river. If that point were once determined, no serious inconvenience would arise anywhere else, and to get that point determined at as early a period as possible, the Government had already been directing their attention. He hoped his hon. friend would be satisfied with this explanation and withdraw his motion. As for the amendment it was quite inadmissable.

Mr. BUNSTER said that having heard a good deal from the miners with regard to that region, he claimed to have some knowledge on the subject before the House. He was sorry to see the hon. gentleman from Victoria move an amendment which the Premier had declared to be inadmissable, because the hon. gentleman (DE COSMOS) considered him a constitutional authority. He claimed that this vexed question, which interfered with the development of the rich mines of that country, should be settled. The hardy miners had discovered and developed exceedingly rich mines at Cassiar. They had been badly treated by unprincipled American officers, who had taken and seized their boats while sailing under the Dominion flag. They had been obliged to pay heavy tolls, amounting to four or five thousand dollars, for which tolls no returns were made to the American Government. That was a matter which required to be looked into by the administration of the day, and which should be brought under the notice of the American authorities. The official to whom he had alluded was now undergoing a trial in Oregon for fraud on the American Government, which, he thought, was sufficient proof that he had wronged those Canadians who had gone to the expense of constructing a boat for the navigation of the Stikeen River. The sooner this vexed question was settled the better.

Mr. THOMPSON (Cariboo) did not wish to make any remarks after what had been said by the Premier. He was well aware of the great importance of having this question settled as soon as possible. During the ensuing season, perhaps, a much larger number of miners would go to the Stickeen River than the two thousand spoken of by the mover of this resolution, and should these vexatious annoyances continue to be imposed, the more excitable amongst them—though they might be generally peaceable — might resent such interference, and thus bring about complications between the two countries. There was another question which had recently been brought before his notice. The Indians did not understand the divided jurisdiction. They were very numerous, and spent the winter months on the coast, and during the summer fished in the Skeena River, working also for the miners. These Indians had been accustomed to roam at large over that country, whether by water or by land, and they could not understand the divided jurisdiction when told by American officers they were on American soil, and by British officers they were on Canadian soil. In order to prevent coalitions with those Indians, who are usually peaceable, but when under the influence of liquor were very excitable and disposed to quarrel with the whites. Although the liquor traffic was nominally prohibited by the American authorities, the Indians could get all they wanted in Alaska, and if they could not they were ingenious enough to make it for themselves. They made rum from molasses with nothing but a tin kettle and a coil of sea-weed. By fastening the sea-weed to the spout of the kettle they were able to distil liquor. This proves the advancement of civilization among the untutored savages on that coast. He had no doubt the resolution and amendment would be withdrawn. At the same time he thought it had done good by bringing this question before the notice of the House and opening the eyes of members to the vast capabilities of our great North-west.

Hon. Mr. DE COSMOS withdrew his amendment.

Mr. ROSCOE—As the Government have stated that they intend to do all that is necessary in this matter, I will willingly at the request of the Hon. Premier, withdraw my motion.

The resolution was withdrawn.

M. CIMON fait motion, secondé par le Dr. ROBITAILLE, qu'il soit présenté à SON EXCELLENCE le GOUVERNEUR-GÉNÉRAL, une addresse pour

1°. Un état montrant le nombre des rivières dans les Comtés de Saguenay, Chicoutimi et Charlevoix, maintenant louées sous provisions de l'Acte des Pêcheries, le nom du locataire dans chaque cas et le prix pour laquelle chacune est ainsi louée.

2°. Un état montrant le nombre des baux de pêcherie maintenant en existence, accordées pour faire la pèche dans les eaux de la Rivière St. Laurent, dans les Comtés de Saguenay et Charlevoix, le loyer payé pour chaque bail, et le nom des parties auxquelles ils ont été accordées.

3°. Un état du nombre de pénalités infligées par les officiers des Pêcheries pour contravention à l'Acte des Pêcheries, dans les limites des Comtés de Chicoutimi, Charlevoix et Saguenay, depuis 1867.

M. CIMON dit qu'il se permettra d'attirer tout particulièrement l'attention de cette Chambre sur cette question, car il importe de connaître la conduite des officiers publics en cette endroit. Son unique attention est de savoir ce que le Gouvernement retire de cette source de revenu. C'est un champ très entendu; il n'est que juste de savoir ce qu'il rapporte au Gouvernement. Dans une occasion ultérieure, il (M. CIMON) aura l'opportunité de faire d'autres remarques sur cette question.

STATISTICS.

Mr. YOUNG said he probably would not have placed the motion he was about to move on the notice paper had he known that the subject had been under the consideration of the Government. However, as the subject was before the House, he would take the opportunity very briefly, and with some degree of diffidence, to urge some reasons why he thought that some plan should be adopted for securing the early publication of as full and as accurate statistics as could be obtained. The present system of each department publishing its own statistics had probably on the whole worked tolerably well, but from the absence of any general supervision there were a number of defects which ought to be remedied. There were four points at least in which improvements might be made. In some respects our statistics ought to be fuller. We had no statistics, for instance, of our agricultural productions or of the produce of our forests —two of the great industries of this country. He was well aware that there was considerable difficulty in the way of achieving the desired improvement. The co-operation of the Local Legislatures was necessary, but seeing that in immigration matters the Dominion and the Local Governments acted in concert, he thought that in this important matter some arrangement could be made for the co-operation of the Federal and local authorities. In Great Britain there was published every year, by the statistical branch of the Board of Trade, a return showing the total quantity of land under grain crop, green crop and grass, the yield per acre, and a great variety of other information, valuable not only to the agricultural community, but to the whole trade of the country. It would be of great advantage to this country if some such statistics could be obtained here, and notwithstanding the difficulties in the way, an earnest effort ought to be made by the Government to accomplish that result. Again our statistics might be made much more accurate than they usually are. It would probably be invidious to particularize, but he might mention as an instance, our returns of the commerce of the country. He was glad to know that efforts had been made by the Customs Department to secure more accurate statistics of our imports and exports. It was to be feared that for a long time past the collectors at our outside ports had not been as careful by any means as they ought to be in making entries, and he had felt, in dealing with such statistics, as he had frequent occasion to do, he could not so thoroughly rely on the entries of imports and exports, particularly of grain, as he would wish to do. It would be noticed by the report of the Minister of Customs that the deputy head of that department was fully aware that objections might be urged to the correctness of these returns, and was endeavouring to introduce improvements therein. Again, there was a good deal in many of the reports of the departments which might be expunged without loss to the public, and at the saving of a considerable expense, and the space thus saved given to more valuable information. He also had objection to take to the length of time which it took to publish many of these

statistics—so long in fact that they were of very little value when they did appear. He was glad to see that this year that no less than four of the principal departmental reports were laid on the table within two or three days after the session opened. For his part, he could see no reason whatever why all of the departmental reports should not be submitted to the House immediately it met. He had seen it stated in the press—he thought correctly—that there was published in Great Britain eleven days after the beginning of the year, a statement of the whole commercial returns of the previous year of the United Kingdom. As our financial year ended on the 30th June, he could see no reason why before the meeting of Parliament, six or seven months afterwards, every report should not be ready weeks before the House met. The defects in the present system were apparent, but the question was how a reform could be effected. At the late meeting of the Dominion Board of Trade he observed that they suggested the propriety of having a Minister of Commerce, whose special duty would be to collect statistics of the kind he had referred to. He could see no great advantage to be derived from such a course being pursned. We had now three Ministers who might be called Ministers of Commerce—the Finance Minister and the Ministers of Customs and Inland Revenue. The most practicable way, in his opinion, to effect the desired improvements would be the way suggested in the motion he was about to move, namely : the establishment of a statistical branch in connection with one of the Departments. The Board of Statistics which he suggested in his motion might be composed of three Ministers, something like the Treasury Board, or of the deputy heads of the Statistical Departments presided over by a Minister. The duty of this Board would be, not to take out of the hands of the Departments the preparation of the statistics, but to supervise their statistics, and to decide what should be published and what should not, and to point out wherein improvements might be made. However, he was strongly of opinion that a better system than that was the system in operation in the Mother Country—that was, the establishment of a statistical branch in connection with one of the existing Departments. To make such a system successful it would be necessary to have one of the best statisticians that could be found, and such men were exceedingly scarce. He knew of but one such man in Canada, and he had no doubt that if such a man as the one he referred to could be secured he would place our statistics in at least a much better position than they were at present. If a plan like the one he had suggested was carried out, and means taken in concert with the local Governments to collect correct statistics of the products of the farm and the forest, the value of real and personal property and also vital statistics, together with commercial statistics, a volume might be published which would be of immense advantage to the whole Dominion. He concluded by moving, "That the House do go into Committee of the Whole on Friday next to consider the following resolution:—That the collection and early publication of full and accurate statistics affecting the commerce, revenues, population and material progress of the Dominion is a matter of great importance, and in the opinion of this House it is highly desirable that the Government should establish a Board of Statistics, or take such other means as may be necessary to have our statistics as complete, reliable and early published as possible."

Hon. Mr. MACKENZIE said he well knew the interest that his hon. friend from Waterloo had always taken in the subject of statistics, and he (Mr. MACKENZIE) was equally convinced, with that hon. gentle- of the great importance to the country of full and correct statistics. He had already stated that he had given his personal attention to this matter but up to the present time, he had not been able to secure a plan that in his judgment would prove snccessful. It was known that only in the Province of Ontario was there any regular system of collecting vital statistics, and even in that Province, the returns were so unsatisfactory as to create a good deal of discussion upon the question of adopting some other means to secure more complete returns. If this was the case in the Province of Ontario where the municipal system was most complete, we might easily imagine the difficulties in the way in other Provinces where they had either no municipal system or a very imperfect one. It was expected from the laws of Ontario that the municipal returns would

furnish all the necessary information about the quantity of land under crop, the quantity held by private individuals in its original state, and the quantity under the different kinds of crops, and the value of such lands, and the value of the produce, as well as the value of all personal or moveable property. As a matter of fact, however, the returns were exceedingly defective, and to obtain the correct valuations in the country districts at least—for they were a great deal more inaccurate in the country than in the towns and cities—it was necessary to double or treble the valuations given in the returns. It was a matter of regret that this should be the case, but it was so. He presumed that assessors in the country districts were led to assess property at a low rate under the idea that it would produce a corresponding low rate of taxation, which of course, was a wrong idea. The returns therefore, in the Province of Ontario were very incorrect and wholly unreliable as to valuation, though the acreage might perhaps be tolerably near the truth. In the Province of Quebec there was a parochial system of obtaining statistics respecting burials, baptisms and marriages, which were, perhaps, more correct than those of Ontario, although the system was deficient in other respects. There was a system in operation in Nova Scotia, but it was of little use, and in the other Provinces there was no system at all. The subject had engaged, and must again engage, the earnest attention of the Government as it was highly desirable to have full and correct statistics of the progress of the country. With regard to mere departmental statistics he quite admitted that many improvements might be made, and it was the intention of the Government, as one improvement, to publish periodical—at least quarterly—returns showing the state of trade—the imports and exports of the principal articles. This might be done without any addition to the present staff. He could only say that every attention possible would be given towards devising a scheme whereby we might obtain a collection of general statistics, with some approach to accuracy, which would be interesting and valuable to the country, and especially as it would be the means of disseminating abroad correct views of the state of trade, the value of property, the duration of life and other information respecting this country, which had great influence with persons proposing to emigrate. He was of opinion that our statistics if correct would go to show that the comparative wealth of our working classes was perhaps greater than that of almost any other people. He saw no object in his hon. friend pursuing the subject further than he had done in bringing it before the House, as nothing the hon. gentleman or the House could do that could stimulate the Government more than their own sense of the importance of the subject would do. For his own part, it was a subject to which he had given considerable attention, and he would continue to give it as much attention as he could possibly spare from his other public duties.

Mr. YOUNG—I stated in moving my motion that possibly I would not have proposed it had I known the subject had been under the consideration of the Government. After the statement of the leader of the Government I have no objection to withdraw the motion.

The motion was withdrawn.

SPECIAL RATES ON INTERCOLONIAL RAILWAY

Mr. DOMVILLE moved for copies of all special rates granted for freight on the Intercolonial Railroad, giving names of person or persons obtaining same and dates. He said he made this motion in order to obtain some light as to the general mode of granting these special rates, and to see how far they were applicable to other parts of the Province that perhaps did not apply for special rates, or did not know that their case entitled them to special rates.

Hon. Mr. MACKENZIE—I have no objection to the motion, but I may say that I am not aware of there being any special rates. We have no returns of anything of the kind, but of course I will enquire of the Deputy Superintendent whether there are any, and if there are full particulars of them will be brought down.

Mr. DOMVILLE—Mr. BRYDGES says he has made such rates as will suit persons owning large saw mills, &c., and it was upon that statement that I based my resolution.

Hon. Mr. MACKENZIE—I took that to be not special rates to individuals, but rates from certain stations where there

were large lumbering or other industries for the carriage of the products of these industries. I am not aware of any other special rates, and I am not even aware of any special rates of that kind, but that is what I understood from the statement of Mr. BRYDGES.

Motion carried.

INTERCOLONIAL RAILWAY SUPPLIES.

Mr. DOMVILLE moved for all papers and correspondence connected with the contract for supplies to the Intercolonial Railroad from 1st June to 31st December, 1874, of cars, trucks, bar iron and railway materials, together with copies of tenders, giving names and dates. He observed that when he put this motion on the notice paper he had good reasons for doing so, and since then things had transpired that made these reasons stronger than before. However, he did not propose to say anything on the subject until the papers came down, when he would be able either to verify or refute certain statements made to him.

Motion carried.

COPYRIGHTS.

Mr. DYMOND moved for copies of any correspondence which may have taken place relating to Addresses of this House presented last session to HIS EXCELLENCY on the subject of the Act to amend the Act respecting Copyrights of 1872, which Act was reserved for the signification of HER MAJESTY'S pleasure thereon. He said it would perhaps be in the recollection of the House that toward the close of last session he brought before it the anomalous condition of the law relating to copyrights in this country, or rather the right to reprint the works published by English authors. The House was then good enough to agree to the motion for an address to HIS EXCELLENCY the GOVERNOR-GENERAL praying that he be pleased to convey to HER MAJESTY'S Government the desire and anxiety of this House that the bill respecting copyrights, passed in 1872, and reserved for HER MAJESTY'S sanction, should not be allowed to lapse by the expiration of two years. The motion was not made with the idea that any immediate results would flow therefrom. He presumed, however, that some correspondence may have taken place between our Government and HER MAJESTY'S Government on the subject, and, if such was the case, he supposed there would be no objection to laying that correspondence on the table of the House. Perhaps he might at the same time ask the First Minister whether the measure respecting copyrights, foreshadowed in the Speech from the Throne, dealt with the subject to which he had referred.

Hon. Mr. MACKENZIE said the Bill which would be introduced shortly by the Minister of Agriculture was intended to be a complete Bill covering all the matters in dispute. It would, however, have to be reserved for HER MAJESTY'S sanction, as it affected Imperial rights, but he hoped it was in such a shape as to meet the approval of HER MAJESTY'S Government.

The motion was carried.

CANADIAN PACIFIC RAILWAY.

Mr. DE COSMOS moved for an Address to HIS EXCELLENCY the GOVERNOR GENERAL praying that a copy of the memorandum of the Chief Engineer of the Canadian Pacific Railway, referred to in a Report of the Honourable the Privy Council approved by the GOVERNOR GENERAL on the 7th June, 1873, be laid before this House.—Carried.

HURON AND OTTAWA RAILWAY.

Mr. GALBRAITH moved for an Address to HIS EXCELLENCY the GOVERNOR GENERAL for a copy of the Report of L. G. BELL, C. E., on the exploration made by him of the route of the Huron and Ottawa Railway, from Ottawa City to Parry Sound, together with all maps or papers accompanying the same.—Carried.

CANADIAN SHIPPING ON LAKE MICHIGAN.

Mr. NORRIS moved that an Address be presented to HIS EXCELLENCY the GOVERNOR-GENERAL for copies of any correspondence which may have taken place between the Government of Canada and that of the United States in reference to the stringent regulations compelling Canadian vessels to call and report at Duncan City in the Straits of Mackinaw before being allowed to enter into Lake Michigan: and also in reference to the tonnage dues imposed on all Canadian vessels annually in American ports. In doing so, he said he rose

with some diffidence, as he knew the importance of the subject with which he proposed to deal, and the propriety of having it treated thoroughly and ably. It would be within the recollection of the members of the House that at last session he had moved for correspondence of the same nature, believing that an important and large class of our people were suffering a grievance at the hands of the American Government, and hoping and expecting that our own Government would do what was proper to have the grievance removed. It would also be within the recollection of members that the Prime Minister at the time asked him to let the motion stand in the meantime, and that he would take steps to have the restrictions removed. There was then the prospect of the Reciprocity Treaty being negotiated, and he supposed that in that the whole difficulty would have been covered. Since the Reciprocity Treaty had not gone into operation, and since, so far, the restrictions complained of had not been removed, but, on the contrary, these troublesome rules had been enforced in regard to our Canadian commerce with all their former strictness, he considered the subject might very properly be brought before the House again. The history of this matter was a very brief but a very important one. In 1867 or 1868 the United States Government sent an officer up to Duncan City on the Straits of Mackinaw and compelled Canadian vessels to call at Duncan city to report, and get a clearance from the officer, before they were allowed to enter into Lake Michigan at all. This created a good deal of trouble and a good deal of expense. They lost from four to five hours time. They did not care so much for the money they paid in the way of a tax, but they did care for the time, for time was money ; and it frequently happened that if a vessel were bound to call at that place at night, in rough weather, they had to lie over until morning. He had known many instances in which they had to lie over for nearly twelve hours. There was no protection to the revenue of the United States given by this law, and he believed that it was enforced simply to keep before our eyes the fact that Lake Michigan was theirs, and that we must have their permission before we could enter. If they could save anything, or gain anything, by compelling us to do these things, he would have less objection to them, but it could not possibly protect their revenue in any shape, because they had the same means of protection on Lake Michigan of searching our vessels and seeing that everything was as it ought to be. He did not know whether these obstructions could be removed, or whether the Government had taken any steps for their removal, but it was high time that every means should be taken to that end, and leave our commerce as free as possible. There was another matter of which he would speak. About 1867 the American Government imposed upon all Canadian vessels 30 cents per ton of a war tax, which of course went to swell their own revenue. We did not pay it before the war. He did not wish to say anything in retaliation, but if it was proper for them to tax our vessels in this way, he thought it was but fair we should charge them something in retaliation. They collected this tax at every port in the United States where Canadian vessels entered, and on an average each vessel paid the amount of some one hundred dollars. He believed that the whole of the charges made upon our Canadian vessels in this way amounted to $30,000 or $40,000, annually, and yet we charged the Americans nothing for entering our ports, and navigating our canals except the ordinary bills and harbour dues, which were of course levied also upon Canadian vessels in the United States. The Government should communicate, if they had not already done so, with the Government of the United States to see whether or not these restrictions could be removed. He might be wrong about this and perhaps the Government had done all they could. If they had not done anything no time should be lost. He was speaking now on behalf of a class of men second only in importance to the agriculturalists of the country—men who had done their fair proportion in the work of developing our resources and who should have the assistance of the Government in everything like this where it was necessary to deal with a foreign Government. He did not put himself forward as a special representative of this class for he felt that he with his humble capacities could do them but small justice ; but he thought it was his bounden duty to bring this

matter before the Government and the House, and endeavour to have those restrictions removed as early as possible. He hoped the Government had taken the necessary steps and if they had not he trusted that not an hour would be lost till they had done so and that our commerce would be as free on Lake Michigan as the commerce of the American people was in Canadian waters.

Hon. Mr. MITCHELL suggested that the motion should be amended so as to include any correspondence which had passed on the subject between HER MAJESTY'S Government and the United States Government, because owing to our position as a colony any correspondence on a question of that character would be had between those Governments. The subject was one which had occupied his attention when Minister of Marine and Fisheries, for he felt that to compel vessels to call and report themselves at Duncan City was unparalleled in navigation. We do not require American vessels to call at any particular port to report themselves when they do not go there for the purposes of trade. The hon. member for Lincoln deserved the thanks of the commercial interests of the lakes for bringing this subject before the House, and he hoped it would receive attention at the hands of the Government.

Mr. NORRIS said he had no objection to amending the motion as suggested.

Hon. Mr. MACKENZIE said the motion would do as it was drawn. It was quite understood that any information in the possession of the Government which it was proper to bring down would be submitted to the House, when a motion of that kind was passed, even if it was not technically correct. There was one point to which he asked the attention of the hon. member for Lincoln, and it was this: He seemed to think it was a hardship to impose tonnage dues of thirty cents per ton on Canadian vessels. But the hon. member must remember that this was a general tax, levied on all vessels trading in United States ports, whether Canadian or American, or belonging to any other country; and we had an undoubted right to impose dues of thirty cents per ton on United States vessels entering Canadian ports, but then we must impose the tax on our own vessels as well. There can be no discriminating charge against the United States or any other nation. It was complained that the Canadian trade had to pay this very heavy war tax, for it was levied first as a war tax during the time of the Southern Rebellion; but there was no possible remedy except by representing—and those representations, he believed, had been made—that unequal burdens were imposed on Canadian commerce as compared with those we impose on the commerce of the United States. Every thing the Government could do in the matter would be cheerfully done, but that was a matter wholly beyond the region of complaint so long as they made no discrimination against our vessels.

Mr. McCALLUM said the present motion had become an annual one. All those engaged in the Western carrying trade by the inland waters considered it an obnoxious regulation that the Americans should levy an embargo on our vessels before they enter Lake Michigan. This war tax of thirty cents per ton was very objectionable, and it had to be paid by a Canadian vessel if it made only one trip to an American port. When vessels went to American ports a charge of $2.50 for clearance, but when American vessels entered our ports the Government did nothing of that kind. In many places along the frontier our Custom House Officers had become so Americanised that the tug and vessel owners coming over from the United States would scarcely take the trouble of reporting and clearing. By this means, the Americans were enabled to deprive our vessel owners of some of the coasting trade which properly belonged to them. He trusted the Government, would give instructions to their Custom House Officers to enforce the present regulations in regard to reporting and clearing, and that the fees collected from American vessels for reporting and clearing should be increased.

Mr. WOOD said the subject had been brought before the National Board of Trade on two occasions, at New York and Chicago. When he brought the subject before the Board, when in session at Chicago, he was informed by American gentlemen from different parts of the Union that this complaint in regard to Canadian vessels being compelled to stop at Duncan City had only to be represented to the American Government and the cause of complaint would be removed.

The matter had been brought before the attention of the Government by the member for Lincoln at the last session of Parliament, and, therefore, if the Government had not brought the subject before the attention of the United States authorities, they had not been attending to their duties. If the Government had brought it before the notice of the American Government, the evil would no doubt have been removed.

The motion was adopted.

THE GEORGIAN BAY BRANCH RAILROAD.

Hon. Mr. TUPPER moved an address to HIS EXCELLENCY the GOVERNOR GENERAL for a return of all tenders for the construction of the Georgian Bay Branch of the Canadian Pacific Railway, with Orders in Council, correspondence and all papers relating thereto. In making this motion he said he had intended to address the House upon this very important question on this motion, but after the statement made by the hon. leader of the Government that it was their intention to bring down these papers without delay, (and, he hoped, quite as fully as this motion covered) and as he desired to economise as much as possible the time of the House, he thought it would be better to defer his remarks until the House was in possession of the documents for which he moved.

The motion was carried.

THE LOAN OF 1874.

Hon. Mr. TUPPER moved an address to HIS EXCELLENCY the GOVERNOR GENERAL for copy of the prospectus and terms of the loan of 1874; the number and names of the parties or firms tendering; the names of the persons or firms to whom the loan was allotted, with the sums to each respectively.

Hon. Mr. CARTWRIGHT said he had no objection to the motion, but he might mention for the information of his hon. friend that though he gave verbal orders to some agents to furnish these particulars, he was afraid that the information desired had not yet arrived, but he hoped to be able to bring it down later in the session.

The motion was carried.

THE CANADIAN FISHERIES.

Mr. MILLS moved for an address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all correspondence between the Government of Canada and the Government of Great Britain in reference to the monetary compensation to be paid by the United States to Canada, under the Treaty of Washington, for the liberty of fishing in Canadian waters; also, for any correspondence on the same subject between the Government of Great Britain and the United States, communicated to HIS EXCELLENCY for the information of the Canadian Government. He said this motion had reference to the fulfilment of certain conditions of the Washington Treaty. He had on former occasions expressed his opinion with regard to this provision, the time for the fulfilment of which had for some time past gone by. He did not regret that this delay had occurred in the fulfilment of those conditions relating to our fisheries. It was well known that before the Washington Treaty was negotiated, the Government of Canada sent one of its members to England for the purpose of discussing this matter with the Imperial Government, and having steps taken with a view to a settlement of the differences between this country and the United States, in reference to the limitary line which should be drawn around our coast. It was well known that we had always contended that upon our maritime coasts, we have the same rights that belong to other countries under the well recognized principles of international law—that the limitary line of our coasts should not follow the sinuosities of the shore at a distance of three miles from it, but should be drawn across the bays and inlets from headland to headland. This view had been disputed by the Government of the United States and when the Government of Canada sought for negotiations between Great Britain and the United States in reference to this matter, it was for the purpose of settling this limitary line. It was rather remarkable that when the Washington Treaty came to be negotiated the protocols contained no reference whatever to the only dispute with regard to our fisheries that existed between the people of the United States and ourselves. Within that treaty there were certain provisions made that we should receive certain compensation for our fisheries in so far as they were of greater value than those of the United States, but there was no statement made in the treaty as to what were the fisheries for which we were to receive compensation,

and it was impossible to look at the provisions of that treaty without coming to the conclusion that we were only to be compensated for that which the Americans admitted to be our fisheries, and that for those large bays along our coast which we claimed to be part of the property of Canada, but which the American Government had all along denied to be exclusively our possession, we were to receive no compensation whatever. Now, if we permitted those provisions of the Washington Treaty to be acted upon, as that treaty now stood, we could not afterwards set up our claim to the exclusive possession of those fisheries. We would let our rights pass away from us by default, and it seemed to him, therefore, of the utmost importance, before any attempt was made to come to a settlement under the provisions of the Washington Treaty, that we should determine what our rights are on our own coast, in order, if those fisheries did rightfully belong to us, as we claimed, that we might receive compensation for them. He did not see how it was possible for the Commissioner to go on under the provisions of the Washington Treaty and determine what was the value of our fisheries without first having settled whether they belonged to us.

Hon. Mr. SMITH—They will settle that themselves.

Mr. MILLS did not believe that the Commissioners were empowered under the provisions of the Washington Treaty to settle this important question. On looking at the history of the headlands dispute, it would be seen that the American Government had all along been confounding two matters that were entirely distinct. It was true that under the treaty of 1783 they had the liberty of fishing on our coast, but it was also true at that time the English Government was disposed to refuse them the right to fish on the sandbanks. In the treaty with France, that country bound itself not to fish within thirty leagues of the coast. The object of this provision of the treaty was very obvious. It was to prevent a large military force from being collected under the pretext of a fishing expedition, for the purpose of conquering Nova Scotia, Newfoundland or the islands in the Gulf of St. Lawrence. Those who were familiar with the history of our Maritime Provinces knew how often the sovereignty of those possessions changed hands, and how necessary it was to enter into a treaty containing stipulations which would secure the possessors against surprise. The American Government, when their independence was to be recognized, felt that no such reason applied to them, and the English Government conceded to them the right to fish upon the Grand Bank, and also to fish within the Three Mile limit. Those liberties that were secured under the Treaty of 1783 were lost by the war of 1812-15, and they were subsequently regulated by the Convention of 1818. Now, when we look at the words of that Convention we found the words and expressions used were precisely the same as those used by writers on International Law. It seemed to him that under the provisions of that Convention we have just the same right to the fisheries in the bays and inlets of our coast as the Americans had to the fisheries in the Chesapeake Bay or Delaware Bay. He thought it would be of very great consequence to the future of this country, if the Government were to take the necessary steps to have this limitary line finally disposed of before any action was taken under the provisions of the Washington Treaty. It was with the view of bringing this matter before the House that he put this motion in the hands of the SPEAKER.

Hon. Mr. MITCHELL said he did not rise for the purpose of opposing the motion in any way, because he thought it well to have the papers and correspondence asked for laid before the House. He noticed one remark made by his hon. friend which he considered very injudicious in the interests of Canada—that was, that his object in asking for these papers was to have some preliminary action taken to define the boundaries within which Canada had jurisdiction, and over which the United States had not. Now, to his (Mr. MITCHELL's) mind, that object is one which would be very detrimental to the interests of Canada. It would be like raising a question in advance as to our own claims—a doubt whether we had a right to the exclusive jurisdiction of three miles outside the coast, within a line drawn from headland to headland. The hon. member for Bothwell had clearly stated the position of the case up to 1818, but should have gone a little further and

followed the history of this dispute from that date to the present day. He (Mr. MITCHELL) would take up the history where his hon. friend had left it, and show the position which Canada occupied to-day in relation to these fisheries. In the treaty of 1818, the last made on the subject between England and the United States, it was very clearly defined that certain privileges were conceded to the United States, which the United States claimed as a right, but which England denied as right. It was agreed that the Americans should have the privilege to enter our ports for wood, water, shelter and protection, and to fish within three miles of the coast. From 1818 to 1842 the right of England to preclude the Americans from coming within the three miles headland line was never conceded by England, but always enforced. Instructions after instructions were given to the commanders of the British maritime forces on our shores to enforce this right, and keep American fishermen outside of the headland line, and seizure after seizure was made of their vessels for infringing within the three miles limit of the headland line. About 1842 matters became rather mixed. England claimed the right to exclude the Americans from the Bay of Fundy. The Americans claimed that as one of the headlands of the bay was in Nova Scotia, and the other in Maine, it was not an exclusively British bay. After a very great deal of correspondence in reference to the seizure of an American vessel in the bay. it was decided that the Bay of Funday was not such a bay as was included within the restrictive clauses of the convention, and the vessel was released, but it was never conceded with reference to the other bays along our coast. From 1842 up to 1854, when the first Reciprocity Treaty with the United States was made, there was a continual agitation going on, the Americans claiming then, for the first time with the intention of enforcing their claim, the right to come within the three mile limit. They tried to set up the decision in the Bay of Fundy case as a precedent for coming into other bays. The Governments of the colonies resisted it, and one of the great objects of the Reciprocity Treaty was to settle that very difficulty and one of the great objects the United States had in view in giving us the privileges conceded under that treaty was to have equal rights with our fishermen to fish in our waters. That treaty lasted till 1866, and during its existence the Americans had the same right as our own people to the use of our fisheries. When that treaty was repealed, it became a question for the Government of Canada to consider what course should be adopted in relation to the fisheries on our coasts. That was before Confederation, and the several Provinces could not take united action at the moment. Correspondence was opened between the Governments of Old Canada, Nova Scotia and New Brunswick to take some united action in reference to the policy to be pursued in the new crisis which had arisen. The Government of Old Canada decided upon a policy, after correspondence with HER MAJESTY'S Government of allowing American vessels to take out licenses to come and fish within our waters. The object of that was this; after the Americans had for so long a period under the Reciprocity Treaty enjoyed the same privileges as our own people, they did not like to adopt a system of exclusion. Another reason was that it was desired by HER MAJESTY'S Government that nothing should arise between the two countries which would lead to difficulties between the two Governments. Hence the licensing system was adopted, and the first year some six or seven hundred American fishermen obtained licenses. After confederation one of the first subjects brought under the notice of the new Government was how the fisheries of the country should be dealt with, and what was to be done to prevent our rights from lapsing, and our concessions from being regarded as rights. The late Government brought the matter under the notice of HER MAJESTY'S Government in England for the purpose of preventing our rights from lapsing. The licensing system could not last long. The number of licenses taken out dwindled from six or seven hundred in the first year to something like 120 in the third year.

It being six o'clock, the debate was adjourned, Mr. MITCHELL still having the floor.

The House adjourned at six o'clock.

HOUSE OF COMMONS,

Thursday, 18th February, 1875.

The SPEAKER took the chair at three P.M.

SPEEDY TRIAL OF FELONS.

Mr. MACDOUGALL introduced a Bill to amend the Act for the more speedy trial in certain cases of persons charged with felony and misdemeanors in the Provinces of Ontario and Quebec.

Bill read a first time.

PACIFIC RAILWAY SURVEY.

Mr. CUNNINGHAM asked whether the Government intend laying before this House, at an early date this session, the Report of the Pacific Railway Survey in British Columbia during the past year, and whether they intend locating the proposed line of Railway on the mainland during the ensuing year.

Hon. Mr. MACKENZIE—The report for the last year up to the 30th June is already before the House. The report of the latter half year is not prepared, and therefore cannot be presented to the House. It is only a week I think since the last of the parties returned who were out on the exploratory survey, but I hope to be in a position within a fortnight to give a summary to the House of what has actually been done during the past season up to the first of January which will practically lay the present position of the survey before the House as fully as it is possible to do before Parliament rises.

WITHDRAWAL OF TWENTY CENT PIECES.

Mr. CHEVAL asked whether it is the intention of the Government to withdraw from circulation the twenty cent silver piece of money, its close resemblance to the twenty-five cent piece making it a nuisance to the public.

Hon. Mr. CARTWRIGHT—I have the honour to inform my hon. friend that steps are being taken to provide a further supply of silver coinage, and on the receipt of this coinage from England we propose to withdraw the twenty cent pieces.

PRINTING OF THE "HANSARD."

Mr. CHEVAL asked whether it is the intention of the Government to see that the *Hansard* is printed in both languages, English and French?

Hon. Mr. MACKENZIE:—That is a matter entirely in the hands of the House. My hon. friend will remember that the House last session adopted the report of the Printing Committee that the speeches of members should be reported and published in the language in which they are delivered. My hon. friend will observe that they have been so reported, and if he speaks in French he may depend upon it, he will be reported in French. If the House decides upon a more extended report, namely, the translation into both languages of all the speeches the expense will be very great indeed, and till the House does so decide of course nothing will be done in the matter. The House Commissioners were invested during the recess with authority to make preliminary preparations for the reporting and publication of the debates, but since the House met their authority was relegated to the House, and it is now in the hands of the Printing Committee by special motion.

VOLUNTARY MILITIA ORGANIZATION.

Mr. CAUCHON asked whether it is the intention of the Government to institute an inquiry into the working of the Voluntary Militia Organization, especially in the Province of Quebec, and into the abuses connected therewith some of which have been established before the Committee on Public Accounts in a previous session.

Hon. Mr. MACKENZIE—With regard to the first part of the question, it is not our intention to institute an inquiry of so general a character; but it is the intention of the Government to institute an immediate inquiry into abuses which are said to exist in connection with the militia organization in certain places, and in general wherever anything seems to exist that requires examination into whether it is connected in the voluntary organization or not, and we will endeavour to adopt such a system as will prevent the recurrence of these abuses.

CAPITAL PUNISHMENT.

Mr. DYMOND moved an address to HIS EXCELLENCY the GOVERNOR GENERAL, praying that he will be pleased to direct application to be made to the LIEUTENANT GOVERNORS of the several Provinces composing the Dominion of Canada for returns of all commitments for trial, with the acquittal or convictions resulting therefrom, for capital offences committed

since 1st July, 1867 ; and also that HIS EXCELLENCY will be pleased to take such measures as may secure to this House, which is charged with the duty of legislating in respect of criminal jurisprudence, full statistical information on all matters relating thereto. With the indulgence of the House, he would briefly explain his motive for placing this resolution in the hands of the SPEAKER. It would be observed that it was divided into two parts, the one asking for information which could only be obtained from the Governments of the several Provinces, the other asking HIS EXCELLENCY to take measures relating to criminal jurisprudence. He (Mr. DYMOND) had mentioned last session that he hoped to be able to bring the question of abolishing capital punishment before the House this year. It was a new one in the Dominion Parliament, though so long ago as May 5th, 1855, a motion that capital punishment be abolished was discussed in the Provincial Legislature of Canada. As would be seen by the journals, the hon. member for Chateauguay and the present Chief Justice of Quebec, with two or three leading members from the Upper Province, voted for that motion, and although Mr. DRUMMOND moved the three months hoist, he did so more because it was too late in the session than from any opposition to the principle of the resolution. He believed he was correct in saying that Mr. DRUMMOND, like the hon. member for Chateauguay and Mr. DORION was opposed to capital punishment. He would remark, as some of his friends had indulged in some pleasantry at his expense, that he did not raise this question on sentimental grounds. Coming here with other hon. gentlemen in order to effect practical legislation, and to attain results of practical value, their arguments should be put on a practical basis. The object of punishment was to cause the prevention of crime. When sheep stealing was a capital offence, a man who was sentenced to death for this crime pleaded that his life was worth more than the life of a sheep. He was told by the judge "you are not to be hanged for stealing sheep, but that sheep may not be stolen." On the same ground men were hanged—not for committing murder, but that murder might not be committed. Now, in our jurisprudence we must have the element of certainty. He would be able to show by statistics, not obtained here but from the old country, that whilst the crime of murder is one which above all others we should desire to punish with the greatest certainty, it is the one in the conviction for which the most uncertainty existed. That arose from two or three causes. In the first place there was a natural dread in the mind of the juror lest he should be unhappily the means of convicting an innocent person. Having paid a good deal of attention to the subject in England, and also to the law here in Canada, he, (Mr. DYMOND), did not believe that of late years the cases of conviction of innocent persons had been at all frequent where the English system of jurisprudence prevailed. The sentiments of humanity which pervade the whole of our race presses very largely against the sad catastrophe of the conviction of an innocent man, and that was the cause no doubt of many murderers escaping from justice ; and then there was the extraordinary difference in the degree of moral guilt attaching to those who committed murder, and the jury would of course take into account, knowing what the penalty of a conviction was, all these considerations, and would thus to a large extent be thrown off their balance. A juryman once observed to him (Mr. DYMOND) when challenged on this subject, that he would not dream of punishing one charged with murder on the same evidence that would satisfy him of the guilt with the secondary offence. The motion made last year was for commitments, convictions, acquittals, and the results of convictions, where they had occurred, since Confederation. He had been able to obtain a return of convictions simply for the reason that the Minister of Justice received a report in all cases where capital convictions took place, but in no others. But he had no official statistics of any other form of crime. Murderers and members of Parliament were the only persons whose offences were reported to this House. He said murderers because, although in Canada the punishment of death nominally attaches to three or four other crimes, he was glad to observe since 1867 no person had been executed for any other crime but murder. From 1st July, 1867, to April, 1874, the number of capital convictions in the Dominion were 69, of which 41 were for murder. Of these 22 were executed. Why he desired statistics on this subject would be shown

by the fact that there was an extraordinary discrepancy between the convictions for secondary offences, and the convictions for murder. In England the number of persons committed for trial for murder, in 1872, was 70. Of these only 30 were convicted, being 43 per cent. While for burglary, housebreaking, sheep-stealing and forgery the number of convictions was 90 per cent. of the whole number tried. Some years ago while paying considerable attention to this subject, he found that the number of convictions for murder did not exceed 21 per cent., whilst in the cases of other crimes more than 80 per cent. of those who were accused were convicted. The testimony of Judges who had been examined at various times before commissions in the old country, had been the same—that there was an uncertainty attaching to the punishment of the crime of murder which did not attach to other crimes. If he could show the House that justice was flouted, that murderers were at large who should be punished, in consequence of this death sentence, he would advance a strong argument for the abolition of the sentence, and show that the question was a strictly practical one. The question of statistics had already been before the House during the present session. He hoped that judicial statistics would receive the attention of the Government as well as statistics relating to other branches of legislation. It did certainly seem extraordinary that while since Confederation we had consolidated the criminal laws, and whilst during every session measures had been introduced altering or amending the criminal law, we had no evidence upon which to base conclusions as to whether those amendments were necessary or not. In our present state of darkness we had no information that enabled us to ascertain what crimes were increasing or decreasing. He was quite aware that in this country we had not as in the old country a large criminal population, but we had growing up in our large cities a class which, if not strictly criminal in its character, was one from which criminals were bred, and he would strongly urge upon hon. members that we should grasp this evil in its infancy, and endeavour to meet it while still in its inception, rather than delay to grapple with it until it had here, as in other countries, almost passed beyond control. The administration of law being in the hands of the provincial authorities he was unable to obtain any report of commitments and acquittals for murder, and for this reason he placed the result in the hands of the SPEAKER.

Hon. Mr. FOURNIER said the Government acquiesced in the motion calling for this important information.

The motion was carried.

Mr. BUNSTER moved for copy of resolutions declaring the expediency of a survey of Dominion lands in British Columbia and the establishment of an office at which reliable information may be obtained by intending settlers. He said these resolutions would commend themselves to the House. It was, in his opinion, a step in the right direction, and one he was directed to take by the constituency he had the honour of representing. Many settlers arriving in Vancouver Island were looking for land, but on going to the land office they were informed that the land was reserved for Dominion purposes, owing to the contract entered into by British Columbia with the Dominion of Canada. The hon. member for South Bruce had referred to British Columbia as an inhospitable colony in his great Aurora speech. He (Mr. BUNSTER) did not think the public would believe it when it was remembered that they paid $5,000 per annum to an agent in London towards encouraging the settlement of emigrants in that Province. He (Mr. BUNSTER) had on his desk a sample of wheat grown in Vancouver Island, and he challenged the hon. member to produce as good wheat as that sample. The farmer who raised this wheat, when he read the speech of the hon. member for South Bruce, in which it was stated that British Columbia was a sea of mountains, and that its people were inhospitable, said:—"Mr. BUNSTER, I wish you would take a bag of our wheat and exhibit it in the House of Commons against any wheat raised in South Bruce or any other part of Canada." The hon. member for South Bruce went on to attack the Province, and to state that the terms were extravagant and the demands of the people impossible of fulfilment. He further stated that every thing that could reasonably be done was done in order to their fulfilment. He (Mr. BUNSTER) did not think the hon. member

could consistently say that, inasmuch as two years had elapsed and only an insignificant survey had been attempted to be made. Even now, the first surveyor had not been across that portion of the road which the Government proposed to make this year, namely; that from Victoria to Nanaimo. The hon. member for South Bruce had further commented upon what he was pleased to call the extraordinary expenditure of many millions of money which the first cost would entail, the many more necessary to keep it in running order, and of the impossibility of commencing to build the railway in what he termed a country which was a sea of mountains until complete surveys were made. He. (Mr. BUNSTER) denied that the country was a sea of mountains, and as for the climate, it was a better one than that of Ontario — better far than that of Quebec, if he could rely, as he did rely, upon the accounts which had been given him of it. In fact, he held that the climate of British Columbia was the finest of all the Provinces of the Dominion. He proposed to make a quotation from the report of the San Francisco Board which would show in what estimation they held the natural resources of British Columbia, but before doing so he would remind the House that but a few years ago that same city, now one of the largest exporting centres on the continent of America, was spoken of with as much disdain as that made use of by the hon. member for South Bruce in reference to British Columbia. British Columbia had exported coal to England, not so much because she had much more on hand than she required, but because of its quality. According to the terms of union, there were 20 miles of a belt upon each side of the railway, but the Dominion Government never stated where the railway was going to be built, and the Provincial Government did not therefore know what land they would require. The Local Government would see that the people had their rights, and were not afraid to tell the Government here what they thought. He asked for this land on behalf of the people of British Columbia and on behalf of the whole Dominion. It was rich in agricultural and coal resources, and yet, as was shown by the report of the San Francisco Board of Trade, of the 531,947 tons of coal required at that port, British Columbia only furnished 140,000. If these lands could be made available we could supply the whole that was wanted. A merchant came to the coal region of British Columbia to buy supplies, but found he could not get nearly as much as he wanted, because an order from a Victoria merchant had to be filled up, and there was not enough over. One hundred acres of that land had been sold for $25,000 in cash, and there were portions of it could be sold for much more, but they were locked up by the Government. The people of British Columbia were not receiving that attention from the Government which they deserved about those lands. He did not know who was to blame, but he wished to find out so that he might explain to his people. He hoped the hon. member for South Bruce would do Columbia the honour of paying it a visit, and informing himself upon its climate and resources by personal observation; and he was sure had the hon. member lived as long in the Province as he (Mr. BUNSTER), he would never have said what he did say. He therefore moved the resolution.

Mr. DECOSMOS said he thought the hon. gentleman who had introduced this motion was moving in the right direction. But the question arose with respect to what was called the railway belt of land in British Columbia,—whether the Dominion Government at present was entitled to any land there at all or not. He thought, if he remembered rightly — and he spoke subject to correction — that, under the railway clause of the terms of union British Columbia was bound to convey to the Dominion. Canada a belt of land on both sides of the railway to an equal extent as lands in the North-West territory that might be appropriated by the Government for railway purposes. The original intention it appears was that the railway should be built by a company and not by the Government. Now, unless some new legislation, some new arrangement was made between the Province of British Columbia and the Dominion, it seemed to him there was a difficulty in the way of the Dominion putting forward its claim to that land. He was perfectly satisfied, however, that the Provincial Government was willing to convey to the Dominion Government

the railway belt of British Columbia such acreage per mile as would be appropriated along the railway line in the North-West territory, with a view to provide for the expenditure of its construction. Now, in regard to the relation in which British Columbia stood to this railway belt. In July 1873, the Provincial Government received an order in council accompanied by a despatch from the Dominion Government asking it to convey to the Dominion Government a belt of twenty miles for Esquimault to Seymour Narrows. At that time it was thought that the Allan Company would succeed in floating its scheme and would go forward immediately with the construction of the railway. The Provincial Government could not make that conveyance because the Imperial Statute, or the railway clauses of the terms of union, made it incumbent on the Dominion Government first to locate the line; but the Provincial Government did the next best thing they could to keep faith with the Dominion, they reserved this land from sale, from preemption and from lease. A despatch was afterwards received stating that the Dominion Government was willing that the land should remain reserved. The land had remained reserved, therefore, up to the present time. Under the new arrangement with respect to the construction of the railway, the Dominion Government intended to proceed at once with its construction from Esquimault to Nanaimo, and he took it that they ought to make an arrangement with the Provincial Government to obtain possession. The Dominion Government ought to make the Dominion Land Act, which applies exclusively to Manitoba and the North-West, apply to British Columbia, so far as it was applicable, and under that Act appoint an officer there to sell those lands. There were one or two points, however, in connection with that Act, if it should be adopted, in which it would be advisable to modify the Act in that country. Many people went to British Columbia; some of whom had only their labour and others their capital. The lands were now unsurveyed. He thought, therefore, there ought to be provision made in case the Act was to be extended to British Columbia that any person might put in his application to purchase unsurveyed land, and the Government should send out a recognized surveyor, and have it surveyed at the expense of the party making the application. In that way there would be no delay in the settlement of those lands until the general survey had taken place. In the Dominion Land Act, provision was made that the Government may lease coal lands, the rent to be paid being a royalty of two and a half per cent. Such a provision was impracticable of application in British Columbia, and he questioned whether it would work satisfactorily in the North West territory. Such an arrangement would really make the company or individual working the coal mine who possessed the most skill and excised the greatest economy, to pay more than an extravagant firm. He, therefore, recommended the Government in case they extended the Dominion Land Act to British Columbia, and granted leases in certain cases to levy a royalty of so much per ton. Unless the Government adopted this course, there was only one other course for them to adopt, and that was to allow the Provincial Government to sell, or lease, or dispose of the land within this railway belt in accordance with the land laws of British Columbia, but with the understanding that the proceeds, after deducting the expenses of the sales, should be paid to the credit of the Dominion Government. He believed to-day that such land as belonged to the railway belt would be more cheaply managed in the interests of the Dominion if an arrangement were made by the Dominion Government with the Provincial Government for the survey and sale of those lands. He hoped the resolution moved by his hon. friend the member for Vancouver would produce the results he anticipated, and that the Government would during the present session, take some means to place the railway belt in the hands of the people.

Hon. Mr. BLAKE remarked with reference to the last observation of the hon. member for Victoria that, considering that the people of Canada are paying an annuity of one hundred thousand dollars a year in perpetuity, equal to ten millions of dollars, for this railway belt, he hoped the people of Canada would be allowed to manage it themselves, and not remit the management to British Columbia. While he heartily supported such a mode of administering that and the other public lands as would produce the settlement and development

of the country, he thought that, having to pay so dearly for these lands, we had better take care of them ourselves. With reference to the observations of the hon. member for Vancouver to the effect that he (Mr. BLAKE) had stated in a public speech that the people of British Columbia were inhospitable, he begged to say that the hon. gentleman was mistaken. He had not said so. Any one who knew the hon. gentleman, himself a representative man from British Columbia—any one who had observed the exertions in the direction of hospitality of that hon. gentleman—exertions which for the moment while he was speaking one might have supposed were successful—would perceive that it was quite impossible that he (Mr. BLAKE) could have talked of the people of British Columbia as inhospitable. No; he had spoken of the country, and he spoke in the sense of a country through which a railway was to be built. In that sense he spoke of it as "a sea of mountains" and as an inhospitable country. He need not go very far to prove the truth of that assertion. Amongst the official documents brought down to the House was a map of British Columbia prepared by Mr. TRUTCH, then Chief Commissioner of Lands and Works, and Surveyor General of that Province, and now Lieut. Governor. He would hold that may up to the House and ask them if the country thereon delineated was not rightly described for the purpose of railway construction as a sea of mountains, and inhospitable. He was glad to know that in some of the valleys there was such good wheat grown as that which the hon. gentleman had described, and he hoped there was more such land than he had at first supposed. But for the purposes for which he was speaking he was prepared to maintain that his statements were correct, and that that country was as difficult a country as could be found for such purposes. The hon. gentleman had referred to another part of his (Mr. BLAKE's) remarks, namely; those relating to the terms which the Government had offered to the people of British Columbia. Upon that point he had only to say that further reflection and information had not caused him to modify in the slightest degree the views he had then expressed. He still entertained the view that the offer made was of a very liberal character, and he should regret if any more liberal offer than that should receive the sanction of this House or the country.

Mr. BUNSTER said he congratulated the hon. gentleman on his conversion and accepted his apology; but he had to inform him that he was mistaken in stating that British Columbia was the most difficult country for the purpose of railway construction. The official reports showed that the altitudes on the Union Pacific Railway were 8,000 feet while in British Columbia they were only some 4,000 feet. He had been credibly informed that the advantages offered to immigration to the lands along the American railway were inferior to those offered by British Columbia, because in the latter country the soil was more fertile. The difficulty in building a railway through British Columbia had been greatly exaggerated. If the Americans could build the Union Pacific in three and a half years in a time of war when the altitude to be crossed was 8,000 feet, surely it could not be said to be an extraordinarily difficult work to build a railway through British Columbia, where the altitude was only 4,000 feet. He believed it could be built one-fourth, aye, one-half as cheap as the American road. He went on to speak of the advantages of the Canadian Pacific Railway in enabling us to command the carrying trade of the East; and he hoped the importance of securing that trade and promoting immigration would induce the Government to put forward the most energetic efforts in advancing the work of the construction of the Canadian Pacific Railway.

Mr. ROSCOE wished to ascertain what the state of the negotiations were between the Dominion and the British Columbia Government. With reference to the map exhibited by the hon. member for South Bruce, he had to say that it was drawn up on the principle followed in former days in preparing a map of the interior of Africa; that is, when they knew nothing whatever of the place they put in a mountain. It was true they had mountains in British Columbia—mountains of silver, of copper, of lead, and what was better, of gold, and also mountains of timber where the trees grew 300 feet high and were six feet in diameter.

Hon. Mr. MACKENZIE said he presumed the object of the hon. gentleman in moving this motion was simply to bring

this matter before the House, because he could not of course expect such a motion to carry. The Dominion Government so far had no power in reference to these lands, The First Minister of the late Government had endeavored to obtain an assignment of these lands to the Dominion for the purpose of taking some such steps as the hon. gentleman now suggested, but the Local Government had promptly replied that no such assignment could be made till the railway was located, they not being bound to do so by the Order in Council admitting Columbia into the Union. The railway was not located then, and at the present time the Government were not prepared by any Minute of Council or other authoritative document to say to the British Columbian Government that any portion of the road was located; and until they were able to do that the Columbian government would undoubtedly adhere to their former resolution. The Government intended to make such provisions as would enable them to proceed with a survey of these lands the moment that it was in their power to do so, but they could not force the local government in this matter, and by the 11th clause of the Order in Council they had the power to allow persons to go upon these lands by pre-emptive right, subject, of course, to such prices and regulations as may be established by the Dominion Government as the ultimate proprietors. Nothing more than this could be done at present, and he hoped the hon. gentleman would rest satisfied with the assurance he gave him that the Government would lose no time, so soon as they had it in their power, in taking such steps as would effectually promote the settlement of the country so far as these lands were concerned. The Columbian Government had large quantities of land now available for settlement in places so remote from any possible location of the railway that there could be no difficulty in having them located, and in other places where it was possible the road might be built, persons settling could now acquire pre-emptive rights, and these rights might be acted upon with the perfect assurance that the same principles would apply to them as to prices and rights of property to actual settlers purchasing, after the lands came into the possession of the Dominion Government. He did not see, therefore, that there was any serious hindrance to the occupation of lands throughout Columbia, and the increase of the population in that way as the hon. gentleman suggested. Two or three applications had been made to the Dominion Government within the last six months, with reference to applications made to the Local Government for the right to sink shafts to search for minerals on these lands, and in these cases the Dominion Government waived any right they might have in the matter in order to enable such companies to proceed with the development of the mineral resources of these lands. Anything of this kind that the Government could fairly and justly do in the interest of the public till they were in possession of these lands as sole proprietors they would of course feel themselves bound to do. As to giving the Local Government in the meantime the right to alienate these lands upon terms to be arranged by them, they paying over the proceeds, less the expense incurred, while he had no doubt they would exert themselves to do what was right in the matter, he did not think the Dominion Government could entertain such a proposition for a moment. It was, in fact, entirely out of the question; but he could promise the hon. gentleman that in this, as in every other matter affecting that Province, the utmost expedition consistent with wisdom and prudence would be exercised by the Government in order to accomplish the end the hon. gentleman desired. He asked the hon. gentleman to withdraw his resolution, trusting that he was satisfied with the explanations that had been given of the policy and intentions of the Government. He might say one word with regard to the railway. The policy of the Government was one which they did not desire for one instant to withhold from public inspection. They were now taking measures to proceed with the construction of the line from Esquimault to Nanaimo, without admitting that at all to be part of the main line when finished, though it might be. Till they were able finally to locate the main line it was impossible to do anything further than proceed as far as Nanaimo, from which point the line might be proceeded with or it might terminate opposite any point fixed upon as the terminus on the main line. No time would be lost, and active measures would be taken by

the Government immediately on the opening of spring to prosecute the survey of that portion to completion as rapidly as possible, and also to prosecute the survey on the main line, so that they might be enabled finally to locate the line. Everything had been done that it was possible to do with the money which Parliament placed at their disposal last session for that purpose.

Sir JOHN A. MACDONALD said that after the explanations made by the Premier he hoped his hon. friend would withdraw his resolution. With respect to these lands reserved, alluded to by the member for Victoria and the Premier, it was true that the late Government had applied to the Government of British Columbia to assign to the Dominion the lands between Esquimault to Nanaimo, because the arrangement was about to expire by which the Local Government were prevented from alienating these lands, and therefore as it was certain that the moment it was ascertained where the line was to run, people would go in there and take possession of the lands, it was necessary to make some new arrangement. The Government of British Columbia said they would not assign the lands, but they agreed to reserve them for the purposes of the railway.

Mr. BUNSTER said after the assurance he had received from the leader of the Government he would not press his motion.

Mr. DE COSMOS observed that the Premier had stated that the local Government could now grant pre-emptive rights to these lands. That was a mistake. Under the terms of Union the local Government were prohibited from alienating these lands in any way within two years from the date of the Union, and under the arrangement that was subsequently made they could not do so except by withdrawing the reserve.

Hon. Mr. MACKENZIE said he had not alluded particularly to the Island, but had quoted the language of the Order in Council respecting the whole Province, which was: "The Government of British Columbia shall not sell or alienate any further portion of the public lands in any other way than by the right of pre-emption." He might add that when the head of the Columbia Government was here lately, he had personally—semi-officially, he might say, though not in writing—discussed this matter with him, and called his attention to various matters connected with the land question, particularly to the fact that the Indians were now claiming that their title was never extinguished, and that very serious difficulties existed at present in Columbia because of the ill-treatment the Indians conceived they had received from the local Government. The Dominion Government, as the guardians of the Indians, had been obliged to make very strong representations to the British Columbia Government in this matter, which, if not attended to, might lead to very serious complications. It was in the interests of British Columbia, as well as of the whole Dominion, that the Indians should, if possible, be satisfied; and so far he did not think that fair attempts had been made to give them satisfaction. He thought something further would have to be done by the local Government in order to produce that contentment among the Indian tribes in that country which prevailed on the east side of the Rocky Mountains.

Motion withdrawn.

THE REFRESHMENT ROOM.

Mr. BUNSTER, in moving that the wine and refreshment part of the House be re-opened for the convenience of members, said he had been accused by an hon. member the other day of being weak-kneed, because he proposed to bring this question up with closed doors. He considered that hon. member was himself somewhat weak-kneed in having withdrawn his resolution in favor of a Prohibitory Liquor Law. He (Mr. BUNSTER) made this motion in the interest of all members, some of whom had complained that they had to go outside on cold nights for refreshments. He believed the privilege had formerly been somewhat abused, but that this had been done by a few was no reason why the greater number should suffer, and he thought the saloon should be re-opened.

The motion was declared lost on a division.

STEAM COMMUNICATION BETWEEN PRINCE EDWARD ISLAND AND PICTOU.

Mr. McINTYRE moved for an Address to HIS EXCELLENCY the GOVERNOR GENERAL for a copy of the contract entered

into between this Government and JAMES KING, Esquire, of Halifax, N.S., for the purpose of running a steamer between Georgetown or other convenient port in Prince Edward Island and Pictou or other convenient port in Nova Scotia, during the winter season. In doing so, he said it would be remembered by many hon. gentlemen, at least such of them as were interested in the maintenance of communication between Prince Edward Island and the adjoining mainland, that during the course of last spring a contract was entered into between this Government and a Mr. KING, of Halifax, for the purpose of carrying mails and passengers between the ports of Georgetown, Prince Edward Island, and Pictou, N. S. During the present winter, this contract was attempted to be carried out, but, he regretted to say, with the most indifferent success. The disappointment in connection with this failure was all the more keenly felt from the belief that the boat placed on the line was utterly unfit for the service. From all he could learn —and he had made the most careful inquiries in regard to this matter —it appeared to him that the boat was certainly unfit for such difficult service. She was of the ordinary construction, altogether too small, and not sufficiently powerful for making her way through the ice. He was free to confess that the winter had been an exceptionally severe one, and that the quantity of ice in the Gulf was something extraordinary. However, this was no reason why a properly constructed boat should not be placed on this route. He need scarcely add that this naval curiosity gave out early in January, and as a consequence, they were compelled to fall back on the usual route of communication between Capes Traverse and Tormentine. He was not at all sanguine that steam communication could be kept up all winter, but should it shorten their beleaguerement by six or seven weeks it would be a great boon to the people of Prince Edward Island, as well as those of the adjoining Provinces. As he had already remarked, the ordinary winter route was from Cape Traverse to Cape Tormentine, a distance of some ten miles. The straits were there crossed by means of ice boats, an arduous and dangerous mode of travelling; but he was fully convinced that for a certain time during the winter this must be the only means of crossing. He would, therefore, be happy to see ample provision made for the hardy and faithful men who were at present engaged in this dangerous but unremunerative service. In conclusion, he hoped that the Government would see the necessity of placing a properly constructed steamer on this route, and give the experiment a fair and impartial trial.

Hon. D. A. MACDONALD said he desired to state for the information of his hon. friend, and for the information of the House, that tenders were asked for this service; and that of Mr. KING, of Halifax, was the lowest. The Government instructed the Inspector of the Marine and Fisheries Department to examine the vessel Mr. KING proposed to put upon the route, and he having done so, she was reported capable of the work, and in good condition. Upon that report the Government entered into a contract with Mr. KING for the sum of $9,000, who undertook to complete the engagement and proceeded to carry out the contract. The steamer made one or two passages successfully; but this winter had been so unprecedentedly severe, and there was such an unusually large quantity of ice to be encountered, that unexpected difficulties and disasters interposed. In fact, from the information the Government had received from the Island, they were led understand that the winter had been the most severe that had been witnessed for a great many years. The steamer was at the island, and was unable to cross to the main shore. It was evident from the information in the possession of the Government that it was not likely that the steamer was able to perform her duties. The contractor was bound to furnish a steamer suitable for the service, which the present boat certainly was not. Either he would have to perform the duty in a proper manner, or the Government would have to see that a proper boat was put on the route. He had grave doubts whether the service could be continued during the entire winter. There were certain times when it could not be done, still, the Government were bound to run a steamer to the island, and they were determined, if they could not get a suitable boat for the service, to have one built.

Mr. SINCLAIR was very glad that this matter had been brought before the

House. His opinion was that the Government would have to buy or build a boat suitable for the service, and own it themselves, because no company would have the same interest in looking after the lives and property of passengers as the Government, themselves. It was supposed by many who knew a good deal about the Straits of Northumberland, that it was impossible to ply a steamer across it the year round, though at the time of Confederation it was promised that this would be done. He believed the Government were desirous of doing the best they could. They would have to make proper arrangements for crossing by ice boats in the winter season. For instance, when the steamer ceased to ply, no preparations were made to continue the conveyance of passengers and mails. His opinion was that the Government would have to furnish a proper steamer for the service, and when it could not run, arrangements should be made for larger ice boats. The traffic had greatly increased during the past year, and what was required was larger accommodation. They should receive so much per round trip, and be required to provide more suitable boats, manned by six instead of four men, and capable of carrying five or six passengers and about a ton of mails. The present boat was a failure. In the most favorable weather it would not make more than five or six miles per hour, and many passengers preferred to travel by the ice boats. With reference to the latter, he believed there should be boat houses in which to repair them. He hoped Prince Edward Island would be given this convenience as promised when the Province entered the Union.

Mr. DAWSON said although this was an exceptionally severe winter, it was also true that the steamer was unfit for the service, and many persons who wished to cross to the island preferred to go in the smallest boat rather than by the packet. The contractor was not fit for the service, and the whole matter was worth investigating. He (Mr. DAWSON) was very sorry to hear that the inspector had reported the boat as a good one. It certainly was anything but that. The Government should make an inquiry into the matter, and if they could not get a better boat, he (Mr. DAWSON) would take the contract from them.

Hon. Mr. LAIRD said this was a matter in which he had always taken a deep interest, and he had something to do in having that condition inserted in the terms of union. He was fully aware at the time that the proposition was made that it would be a matter of some difficulty, but as the trade between the island and the mainland was annually increasing, it was a matter that should be entertained by the Dominion Government. So far the service had not been successful, A suitable vessel could not be found for the purpose. Tenders had been asked for after the present Government came into power (the former Government having failed to asked for them) for a suitable vessel, but it was impossible to construct one between Nov. 1873, and Nov. 1874. Under the circumstances the Government were obliged to accept the services of the best boat they could get for one winter. The condition of the contract was that the vessel was only to be retained for this winter, and the contractors must furnish a suitable one for the remainder of the term of their contract. A screw boat would be necessary as a paddle-wheel boat would never do to cut through the ice, yet that was the only kind that could be obtained for this winer. The inspector found the boat new, safe, strongly built, and the engines good. It was thought better, therefore, taking all things into consideration, to use the boat for this winter than to be without any. He was very sorry to hear from the hon. member for Pictou, that the contracter was not at all times fit for his business. Mr. KING was a well known contractor in steamboats and owned several. He was interested in the St. John and Digby line which was very successful. He seemed, therefore, to be a man well fitted for the service. He did not think there was any steamer built that could ply regularly across the straits during two months of the winter season—the latter part of January, the month of February, and part of March. During that period the service could be performed in ice-boats. The contractors for carrying the mails across the Straits of Northumberland by ice-boats were bound to perform their duty as soon as they received the mails from the Post Office. If they had not done so they were sadly neglectful of their duty. He had no doubt it was only a little oversight on their part. This winter was the severest that

had been experienced on the island for thirty years. Such another might not occur for thirty years again, and he did not think the contractors should be charged with neglect of duty. No person could say what sort of boat exactly would be suitable. It must be built on the principle of the vessels engaged in seal fishing, which were suited for sailing through ice.

Mr. PERRY said the fact was the persons who carried the mails in the ice-boats were not paid sufficiently. They should receive a sufficient amount to keep men enough around them, and pay them daily wages with board, so that when the weather was favorable for crossing they might take advantage of it. The contractors were experienced men, and if they had proper boats and a sufficient number of men the passage could be made much easier and in a much shorter time than at present. As far as steam communication was concerned, he was satisfied that the Government would do all in their power to carry out the terms of union with the Island. The steamer had failed this winter, as many a large enterprise had failed, but he had no doubt that a steamer would be constructed which would be much better suited for the service. He believed the Government would do better by renewing the contract with the ice-boat contractors than by calling for tenders.

The motion was carried.

PACIFIC RAILWAY SURVEY ACCOUNTS.

Mr. WALLACE said that in moving the motion which he had placed on the notice paper he would recite, with the permission of the House, some facts which bore on the question. From 15th May, 1871, till 31st July, 1872, he was commissariat officer and paymaster on the Eastern division of the Canada Pacific Survey, and since that period he had at intervals rendered service in connection with the survey. He challenged the strictest inquiry into every act of his, and he defied it to be shown that he wrongfully appropriated a cent of money from the survey, or knowingly allowed any one else to do so. Having made that statement he would pass on to refer to matters that had arisen in connection with it. First he would refer to a letter written by the hon. Premier, and he would say of that letter that it was extraordinary in its contents—extraordinary on account of the time and circumstances in which it was written, and extraordinary in that no action had been taken since the letter was written. The letter was extraordinary, first; because it was written by the hon. Premier, not with a desire to see a wrong remedied, but written at the instigation or at the solicitation of a gentleman who was then opposing him (Mr. WALLACE) in a political canvass. It was written at the time he was actually engaged in a political canvass as an opponent of the hon. Premier. The letter was addressed to Mr. J. STUART, of Hamilton, who was then opposing him (Mr. WALLACE) in South Norfolk. In that letter the Premier said:—"I am in receipt of your letter of enquiry respecting the duties and salary of Mr. WM. WALLACE." Now, he (Mr. WALLACE) held that if the Premier had discovered that he had done anything wrong in connection with that position he held on the survey, it was clear it was the hon. Premier's duty to have taken steps against him on account of the wrong, and not have waited until his attention was called to him by a gentleman who was opposing him (Mr. WALLACE) in a political contest. The letter was extraordinary on account of its contents. He did not say that the hon. Premier stated knowingly that which was false, but he said this—that the statements made in that letter were not strictly in accordance with facts. The Premier says: "Mr. WALLACE was employed as paymaster on the Intercolonial Railway from January, 1867, to January, 1871, at $1,600 per annum." He could not conceive what motive led him, or what object he had in view, to introduce this matter; but it was not correctly stated, because the duties he was discharging were not those of paymaster. He was accountant on the Intercolonial railway. The payments on that work were made at the office on the cheque of two of the commissioners, countersigned by the Secretary. The payments which were made down the line of the railway were made by paymasters, of whom there were three, and he was not one of them. He was only the accountant that recorded the transactions of the paymasters. Then, again, the hon. Premier says:—"Mr. WALLACE resigned. Up to the time he resigned, Mr. WALLACE had received a sum of $338,871.62." Now, that was not correct. He (Mr. WALLACE) had not received up to

that time that amount, and, indeed, had never received it. He believed that all the money ever paid into his hands was between $150,000 and $160,000, and of that sum there was a detailed statement in the books. When the correctness of any entry made in that statement was impugned, or of the correctness of any payments that were therein made, he was prepared to answer thereto. Then, again, the hon. Premier said :—

"To that period the books show that $584,579 had been received and vouchers fyled accounting for $373,663 ; and that from June, 1873, to August of the same year there was further accounted for $151,522, leaving at the latter date $59,394 unaccounted for, and in reduction of which no vouchers have since been fyled."

That statement, however, if it were correct, would show that more vouchers had been fyled with the Department than he had received money, or vouchers were admitted to have been fyled for the sums of $151,522 and $373,663, which made a total of $520,000. Since that period vouchers and accounts were brought from the Province of Manitoba in the latter end of the year 1874, amounting to $50,000, and these were in the Department at the time this letter was written. Add that to the above sum stated to have been accounted for, and instead of a deficit as alleged of $59,000, if there was a deficit at all, it would not exceed $10,000 or $12,000. Then further on the hon. Premier says :—"Mr. STEERS, senior, has been continuously, and Mr. STEERS, junior, partially, occupied in the unsuccessful endeavor to strike a balance." Now Mr. STEERS, senior, never touched the books he (Mr. WALLACE) had under his control, while he (Mr. WALLACE) was in that department. The letter also contained a statement that Mr. STEERS, junior, went into the Department in October, 1872. That was not strictly in accordance with the fact, because that gentleman did not enter the office until the end of February, or beginning of March, 1873, where he remained until he went up to Manitoba in connection with some duties arising out of transactions with the office, and did not return to the office, except to do something in connection with duties he had performed in Manitoba. Again, this letter, though it did not expressly charge him with being a defaulter, was used to make people believe he was a defaulter. To show that this inference was drawn from him, he might say that the hon. member for South Wentworth, in addressing the electors of South Norfolk, was reported to have spoken as follows :—"He alluded to the charge which had recently been made against Mr. WALLACE of having wrongfully obtained $60,000 of the public funds which he had not accounted for, and said it was not at all improbable that a portion of that $60,000 was expended by Mr. WALLACE in 1872 in corrupting the electors of Norfolk."

Mr. RYMAL—Hear, hear !

Mr. WALLACE—The hon. gentleman in making that statement was guilty of saying that which had not a particle of foundation in truth, and if Parliament would allow him to make use of stronger expression he would use it. The report of the hon. gentleman's remarks continued: —"It would be strange if some of that $60,000 were not still sticking to his (Mr. WALLACE's) fingers, and it was possible some of it might during the present contest be employed in corrupting the electors of this constituency." So that, if this letter was not written with the design of charging him with being a defaulter, it had the effect of making some people believe that he was guilty, or otherwise the hon. member for South Wentworth had been guilty of having wilfully done a wrong to him. An effort was also made to show that he had overdrawn his salary. In this matter he had been treated most unjustly by his opponents, because, while they had showed the amounts he had taken and charged to himself, they did not give him any credit for services that were rendered subsequently to the 30th June, 1872. It was also stated that he strove, by crediting himself with a larger salary than he was entitled to, to account for the deficiency between the amount he had charged himself with and the amount he was said to be entitled to. With regard to salary, he might say that when he first spoke to Mr. FLEMING his duties were declared to be to buy supplies and attend to their shipment, and for these duties he was to be paid at the rate of $1,800 a year ; and Mr. FLEMING had stated that, considering the responsibilities involved, that salary was large enough. Subsequently, when the parties went into the field, and it was decided that payments

should be made periodically from the office to their families, the work of attending to these payments was thrown upon him in addition to his other duties, and for these additional duties additional remuneration was spoken of, but as no rate was fixed he credited himself in the books with the lowest sum, and up to the time of his leaving there was no such thing as over-payment; on the contrary, as the books in the office would show, instead of being over-paid there was a balance in his favour of something like $330 or $340. It was stated that $200 was inserted in pencil for the purpose, as was alleged, of endeavouring to make his salary more nearly correspond with what he had charged himself with. He did not enter that amount at all. When he prepared the statement and showed it to Mr. FLEMING, he put in the time during which he had rendered service, and accounted for all the moneys he had taken, and allowed Mr. FLEMING to fix the remuneration for that time, and if $200 was put in it must have been done by Mr. FLEMING or some other person after the document went into his possession. This was the language used in the Premier's letter: "Thus apparently by an attempt to get an increase of pay, beyond what his books show him to have been entitled to, endeavoring to make his earnings more nearly balance the money he had drawn. But even at $2,400, instead of $1,800 per annum, there is a considerable balance against him. The over-drawn amount as previously stated was $1,772.95 claim for 13½ months at $50 extra per month, $675; extra month, July, 1872, claimed in statement $200, leaving a balance of $897.95." How was that balance made out? By not allowing anything for services that were rendered subsequent to the 31st of July. Then the hon. gentleman further on stated in his letter: "The above information compiled from the statement furnished by the accountant is the most exact statement I can give in reply to your question. This letter, as he had before stated, was not written in the public interest to bring to light any wrong committed against the public service, but for the sole purpose of destroying his (Mr. WALLACE's) election. Immediately after his election he came down to Ottawa to attend the trial of THOMAS STEERS, jr., who had been connected with the office he was in, and surely if the Government had any charge to make, they should have then taken proceedings against him. Not only was this letter published and distributed among his constituents, but a letter he had received from the Public Works' Department in reference to his cash book, and a copy of his telegram in reply had also been sent to his opponent. The Premier telegraphed to Mr. STUART: "None of these books or papers print. Demand made. WALLACE yesterday telegraphed that cash book and cheques would be returned, but not to hand yet." He (Mr. WALLACE) had taken at first an article in the *Globe*, because at that time he had not seen the Premier's letter, and in replying to that had stated:—"It is possible that when the surveys were burnt, some of the vouchers may have been destroyed," and the reference in this telegram was in reply to that statement. He would ask the House how it was possible that the Premier, knowing nothing of the internal management of the office, could state positively that none of the vouchers were burnt when the office was burned. However, when he came to Ottawa, he wrote to the professional accountant, who now had charge of the books, to this effect:—"Upon your representation, endorsed by the Hon. the Premier of the Dominion, the public has been led to believe that I am unable to account for nearly sixty thousand dollars of the funds of the Canadian Pacific Survey, with which I was entrusted while paymaster on that work, and that therefore I must be a defaulter to that amount." It was true that it was not expressly stated that he was a defaulter, but the public were led to believe, and did believe, that he was unable to account for $60,000 of the funds of the survey that came into his hands, and what else could he be called than a defaulter? Then he went on to say in this letter:—

"These representations were wholly at variance with the truth, for in the books in your possession, there was a cash account which shows the moneys I had received, and a detailed statement of their expenditure, and I am now ready, and always have been ready, to answer if any charge is preferred against me in connection therewith. I may also say that I am prepared to write up the balance of the transactions in connection with the whole expenditure on the Eastern division from to the 30th June 1873, if the books, papers and vouchers taken by you from the office lately

in charge of the elder Mr. STEERS are placed under my control. As you are aware, the details and vouchers of over fifty thousand dollars, which was charged to the WALLACE account were only received at Ottawa within the past few, months that they were given you for adjustment, that they were being audited by an officer of your department, and that therefore, it was impossible for me to write up that expenditure until I received the documents, from which it could be done. You were also aware, as I had informed you of the facts that very large sums of the money charged to the WALLACE account, have been paid to others, that the settlement of these sums had in many instances been made when I was disconnected with the office and had no control in the matter, and that, therefore, it was most unjust to have me published to the world as a defaulter, before it was clearly established that there was a deficiency and that I was responsible for it, waiting your immediate reply."

He received the next day the following reply from Mr. RADFORD:

"I am in receipt of your letter of the 4th instant. You state in it that I have made representations endorsed by the hon. Premier of the Dominion, charging you with being a defaulter to the extent of nearly sixty thousand dollars of the funds of the Canadian Pacific Survey. I take the opportunity of denying this statement—no such representations have ever been made. I may say on this subject, that when your books came into my possession on the 18th of November last, your ledger showed your account with Mr FLEMING to stand as follows :—you had taken credit for vouchers to the extent of $473,191.35 against a total debit of $584,582.82."

Now, there was no such debit against him, because, while writing up these books, he did not charge himself with moneys that he had never received. When money was sent through the department, through the paymaster or the assistant paymaster, it was charged to the persons getting it, so that there could be no such debit as $584,582. Neither did he admit that there would be a deficiency when all was straightened up, but if there were a deficiency, he was not going to assume responsibility which other men should bear. If it could be shown that he had misappropriated to his own use or allowed others to do so, he believed he ought to be punished for malfeasance in office. Mr. RADFORD'S letter continued: "Leaving a balance to be accounted for of $111,391.46. From this amount I deducted $52,703.90, said to be the value of the vouchers brought from Manitoba and handed to me at the end of October, leaving $59,187.56 for which vouchers had still to be found." Now, when he (Mr. WALLACE) went over to Mr. RADFORD'S office, he referred to the vouchers that had been sent in. He (Mr. WALLACE) told him he did not hold himself responsible, but that there were other vouchers to be sent in, and that there were balances due by some gentlemen who had been charged with sums of money for which they would have to account, and he had no doubt the matter would be correct. He referred Mr. RADFORD to his cash account in the books, showing it to be balanced, and Mr. RADFORD admitted it would be unjust to hold him (Mr. WALLACE) responsible for expenditures he never made. In the face of this admission Mr. RADFORD wrote: "You will remember my showing you the above figures, and giving you an opportunity to explain the difference before I reported the matter to the department." Now, as he was informed, this same Mr. RADFORD, at the request of the Premier, had some conversation with Mr. STEERS, sr., who was spoken of as his (Mr. WALLACE'S) subordinate, but who was rather a superior for the time being, inasmuch as he checked the vouchers and sent them in to the Department. Now, it would have been more honourable if the Premier had dealt with him, if he suspected anything was wrong, than to talk to Mr. STEERS about him (Mr. WALLACE) in his absence. Mr. RADFORD writes: "I would remind you that your cash book was not in my possession at that time." A great deal had been said about this cash book. A great deal was made of the fact that he had taken it away with him, but he did not take it away surreptiously or unknown to the Department. The other books were there and there was nothing in the whole matter for which he objected to the closest scrutiny. But it showed they were determined to make some charge against him. They had the total statement of every cent of money that came into his hands so that they did not want the cash book. Mr. RADFORD writes: "With reference to your offer now to write up the balance of the transactions to the 30th June, 1873, I am directed to say that the whole of your accounts are under examination the result of which will be made known to you as soon as possible." This showed that they were not in a position to say that any one had

done wrong, or that there was any deficiency at all. It would have been time enough to make these serious charges after it was shown by an investigation that there was a deficiency, and that he was responsible for it. Mr. RADFORD concludes:—"And that in the meantime the Department is prepared to receive any vouchers for moneys paid by you on public account which you may be pleased to fyle." In this matter he desired the fullest investigation. If the charges made against him by the hon. member for South Wentworth were true, he (Mr. WALLACE) was unworthy of holding a seat in this House, and should be expelled; but he defied any one to show that in this matter he had been guilty of wrong. Entertaining these views he moved for the appointment of a special Committee consisting of Hon. Messrs. BLAKE and CAMERON, and Messrs. Moss, Ross (Prince Edward) and BOWELL to investigate the charges against him.

Mr. ANGLIN said this motion was clearly not in order. The letter to which it referred was not before the House. It should be contained in the resolution. It being six o'clock the House rose.

———:++:———

AFTER RECESS

Mr. WALLACE resumed. He regretted that he was out of order in submitting his motion to the Chair, but it must be attributed to his ignorance, and not to any disrespect of the rules of the House. It had been alleged that in what he did he had violated the indepenpence of Parliament Act. If he did, he had no intention to do so, and neither in spirit nor in letter had he violated the law so far as he had been aware. If he had done so, of course he would be censurable to that extent. With these remarks he would move:—

"That the letter and telegram, of which copies are hereto annexed, were printed and circulated in the South Riding of Norfolk during the late election in that constituency. That the said letter was addressed by the Hon. A. MACKENZIE to JOHN STUART, Esq., of Hamilton, and with the said telegram related to the accounts, in connection with the Canadian Pacific Survey of WILLIAM WALLACE, now a member of this House. That the letter and telegram aforesaid be referred to a Committee of five members, with power to send for persons, papers and records, and to report thereon, from time to time, with all convenient speed, and that Messrs BLAKE, CAMERON (Cardwell), Ross (Prince Edward), and BOWELL shall compose said Committee."

Mr. Wallace.

"OTTAWA, Nov. 23rd, 1874.

"My Dear Sir,—I am in receipt of your letter of inquiry respecting the duties and salary of Mr. W. WALLACE. Mr. WALLACE was employed as paymaster of the Intercolonial Railway from January, 1869, to January, 1871, at $1,600 per annum. From May 15th, 1871, to July 31st, 1872, he was employed as paymaster to the Canadian Pacific Railway Survey for the Eastern Division. In the latter capacity his duty was to purchase supplies as well as pay the salaries of the staff employed. The professional accountant in whose hands we have recently been compelled to place the books and accounts, reports to me that at the time Mr. W. WALLACE resigned he had received for disbursements the sum of $388.871.62, and that the vouchers fyled by him in the department up to that date account for but $142,675.26. After Mr. WALLACE left there continued until 20th June, 1873. to be charged and credited in the same books, and in his own handwriting. the receipts and disbursements for this service. To that period the books show that $584,579 had been received, and vouchers fyled accounting for $373,663, and that from June, 1873, to August of the same year there was further accounted for $151,522, leaving at the latter date $59,394 unaccounted for, and in reduction of which no vouchers have since been fyled. With a view of arranging the accounts they were placed in the hands of Mr. THOMAS STEERS, Senr., in June, 1872, and in October of the same year his son was engaged to assist him. Since these respective periods, Mr. STEERS, Senr., has been continuously, and Mr. STEERS, Junr., partially occupied in the unsuccessful endeavor to strike a balance. The accountant is now engaged in the effort to write up the sum of $59,394 still unaccounted for, but he represents to me that he is beset with difficulty owing to there being in the department no cash or other book—if such book exists—in which the original entries were made, and the only material at his command is a mass of loose papers, including some vouchers which were in Mr. WALLACE'S office, when the accountant took charge of the accounts a few days ago.

In regard to Mr. WALLACE'S salary, there does not seem to have been any Order in Council or other official document fixing it, but the journal and ledger kept by him, alike show that it was intended to be $1,800 per annum. There was paid him, as per his ledger, on account of salary, from June 30th, 1871, to June 30th, 1872, the sum of $2,251.00; against which he is credited in his ledger with salary from May 15th, 1871, to June 30th, 1872, 13½ months at $150 per month, $2,025; and cash in October, 1871, January and June, 1872, $564.14; total, $2,589.14, showing a balance due him June 30th, 1872, of $338.14. On account of which he was paid in July, 1872, $132.30, and October, 1872, $300; total, $432.30, and is credited with payments in November, 1872, amounting to $9.697, leaving a balance of $2.81 in his favor on account of salary to June 30th, 1872. His ledger shows that he subsequently received on same salary account Dec. 30, 1872, $550; Jan. 31, 1873, $100; Feb. 28, 1873, $100; total $750. And on a statement recently lodged by him in the Department, he acknowledges having

received further payments as under, which do not appear in his Journal or Ledger: 1873—July $150; August $100; November $100; 1874, January $100; April $80; May $230; 1874—September $65.76; October $200; total $1,025,76. Showing an amount overdrawn by him for salary and after he had left the service of $1,775.76, less the balance in his favor June 30, 1872, $2.81, leaving debtor for $1,772.95. That no doubt may remain of the intention to fix his salary at $1,800 per annum, the following entries are taken from the Journal: 1871—June 30, for salary from 15th May to June 30th one and a half months, at $150, $223; July 31, salary this month $150; August 31, salary this month $150; September 30, salary this month $150; December 31, three months salary from 1st October to 31st December at $150—$450; 1872—March 31, from 1st January to 31st March, three months, at $150—$450; June 30, salaries account from 1st April to 30th June, three months at $150—$450, But in the statement sent in by him within the past few days, occurs this entry, that portion of it following the date "31st July 1872," being written in pencil, "By salary from 15th May, 1871, till 31st July 1872, fourteen and a half months' at $200—$2,900," Thus apparently by an attempt to get an increase of pay beyond what his books show him to have been entitled to, endeavoring to make his earnings more nearly balance the money he had drawn. But even at $2,400 instead of $1,800 per annum there is a considerable of a balance against him. The overdrawn amount as previously stated was.....$1772 25

Claim for 13½ months at $50 extra per month.....	$675.00	
Extra work, (July 1872), claimed in statement.....	200.00	875.00
		$897.95

Apparently against this and leading to what further demands their vagueness renders it impossible to say there are in the statement these most extraordinary entries :—

"By services since time of resignation 31st July, 1872.

1872, September October had gone to Toronto, was taken ill and laid up. November, December,	During this time was a Member of Parliament and not legally entitled to Payment.
1873, January, February sick about half the time in Ottawa. June, November, from 6th.	
1874, March from 24. April, May, June, about two weeks. September except from 1st till 8th, and from 22nd till 29th. October, November, 10 days."	

The above information compiled from the statement furnished by the accountant is the most exact statement I can give in reply to your question.

Yours truly

(Signed) A. MACKENZIE.

JOHN STUART, Esq.,
Hamilton.

TELEGRAM.

Ottawa, 5th Dec. 1874.

None of these books or papers burnt. Demand made—Wallace yesterday telegraphed that cash book and cheques would be returned, but not to hand yet.

(Signed) A. MACKENZIE.

Hon. Mr. MACKENZIE said the hon. gentleman had only read part of the letter; he had not read the most material part, which showed that he (Mr. WALLACE) had resigned his position on the 30th of June, 1872; that he immediately thereafter became a candidate for the representation of one of the counties of Ontario, and that after the time he was a candidate, and after his election, he attended the exercise of the duties of his office, so far as paying himself a salary was concerned. What more than that the hon. member did, he (Mr. MACKENZIE) did not know. These items the hon. gentleman had not read along with the other parts of this letter. The hon. gentleman complained of the inaccuracies of the dates when certain parties were said to have become servants of the Government. This was of no importance. The statements he (Mr. MACKENZIE) had received were such as he believed to be correct, and the question raised by the hon. gentleman's motion was as to whether the money was correct or not. Whether the amounts were settled yet, he was unable to say, but when he came into the office of head of the Public Works' Department, the accounts of the Pacific Railway Survey were in arrear for years. When he had been in office for some months, he appointed a new auditor, in order to be able to ascertain where the money went. At the time the letter in question was written, it was impossible to ascertain even that, for the hon. gentleman had carried away the cash book with him. He quite understood that it was possible to have the money accounted for, and not have vouchers posted in the ledger, but the hon. gentleman did not explain why they were not entered. He (Mr. MACKENZIE) had found some statements to be true that he had not embodied in his letter at all. He found, for example, that

some parties, servants in the Department, appeared to have some thousands of dollars in their hands, according to the accounts of the hon. member. But he found that they had a certain number of vouchers for years in their possession, which they had never presented, and which were never entered by the hon. gentleman. Whether the hon. gentleman was accountant or not, after he was a member of Parliament, he had public money in his possession, and was drawing public money for his services. After the election was over, he had a special account in his own name at the Bank of Montreal, in this city, and between the 2nd August, 1872, and the 22nd of September last, he had chequed for himself no less than $8,279.44, the last cheque being for $65.76 on the date last mentioned. These were facts that could not be disputed, to which the hon. gentleman had made no allusion, and in regard to which it might be assumed that the hon. gentleman thought there would be nothing wrong. He (Mr. MACKENZIE) did not say there was any deficiency in the hon. gentleman's accounts when they were wound up, but they were not yet wound up. He (Mr. MACKENZIE) had never seen the books, but had left them entirely in the hands of those who were charged with the duty of producing a satisfactory statement—a duty, he might add, which it had so far been found impossible to perform. He found also that one gentleman of the Department had drawn $600, of which he, as Minister of Public Works, knew absolutely nothing. As a matter of fact he never knew there was such a person about the Department at all, and no authority could be produced for his possession of the money. He found another gentleman who had received nearly $1,000 returned by parties getting supplies from the Department. That money should have been paid to the Receiver General, or to the Deputy Minister of Public Works; but instead of that the clerk referred to put the money in his own pocket, and charged it against himself. Proceedings were directed against him, but the Police Magistrate decided that since he had a claim against the Government for extra salary, he could not commit him for embezzlement. Another person received $140 which were not accounted for, except by an entry subsequently made in the books to show that the money was paid. He only referred to these matters to point out to the House the irregularity of having a member of Parliament having charge of public moneys, and paying them to himself, without any reference to any Department. It was unnecessary to go into a detailed criticism upon these statements; the whole matter was taken hold of the other day by the Committee on Public Accounts, and they in turn had referred it to a sub-Committee to be dealt with and investigated by them. He had no objection that the late accountant should place his case before that Committee, but the hon. gentleman was not here as a member of the House so far as this matter was concerned, but as an officer of one of the Public Departments; and no clerk of the Public Departments could come to this House and demand an investigation of his grievances. Every facility would be given to the hon. gentleman to have any investigation he desired, and he (Mr. MACKENZIE) would be glad to appear personally before the Committee if they desired him; but he could not consent to have matters of this kind delegated to a special Committee, and the irregularities of a departmental officer magnified into a matter of public importance. He therefore objected to the motion in its present shape, although he was quite willing that the investigation should be prosecuted by the sub-Committee of the Committee on Public Accounts.

Mr. WALLACE, in reply, contended that he was legitimately entitled to his expenses in going to and coming from Ottawa on the business of the Department. The Minister of Public Works had stated that the sum in connection with which the Clerk referred to had been brought before the police magistrate was $1,000, when he knew very well that it was only $875, and that the entire claim was not for extra salary, but that $300 of it was for his regular pay. The young man at once said, when challenged with respect to the subject, that if there was any balance owing to the Department, he was ready to pay it over. The hon. gentleman knew that this Clerk was brought into the department without him (Mr. WALLACE) knowing anything about it, and he also knew that he (Mr. MACKENZIE) had threatened him with dismissal if he did not pay over the money. The facts connected with this came to the

knowledge of the Minister of Public Works in the early part of November, but although this threat had been made at that time, he had allowed it to go on until within a day or two of the nomination in South Norfolk, and then it was heralded abroad that the assistant of the late paymaster of the Pacific Railroad Survey had been arrested for taking the funds of the department. It was also hinted by the supporters of the hon. gentleman that he (Mr. WALLACE) was guilty of the same thing, and the whole matter was used as a lever to prevent, if possible, his election for South Norfolk. The hon. gentleman also knew that in the books in possession of this professional accountant there was contained a full and explicit statement of all moneys expended by him (Mr. WALLACE) in his capacity as paymaster, and it was not necessary, to having this statement, that the book referred to by the Minister of Public Works as missing, and in his (Mr. WALLACE'S) possession, should have been in the hands of the accountant at all. The hon. gentleman said that he (Mr. WALLACE) had drawn some $8,000 from the 2nd August, 1872, to the 2nd September, 1874, for his own purposes. The sum of money, as a matter of fact, was somewhere between $4,500 and $5,000, and for a sum of $3,000, he gave a cheque to the gentleman acting as paymaster. The reason why this sum was not carried over was that there were no settlements of his accounts, and that he was rendering all these services for which he felt he had a right to some compensation. He could not come down here and be under expense without some remuneration. The question was, was there wrong in connection with this matter, or if he had violated the law, or misappropriated any of the funds of that survey? As to those queries he challenged the strictest scrutiny and examination. He had been assured that he might have a committee to investigate to his heart's content; that he should have all he wanted. He asked a committee to investigate. If he had been a member of the Civil Service, as an hon. member claimed, why was he not dealt with as a member of the Civil service? Why did hon. gentlemen not take action against him, instead of giving a letter to the Ministerial candidate to be used against him in the election contest. It was true the hon. gentleman did not speak of him as a defaulter, but the inference to be deduced from the letter was that he had been guilty of a defalcation. He (Mr. WALLACE) had left Ottawa on the 21st November. Very shortly after, if not on this very day, this letter was written. Why did the hon. gentleman not take him to task about these matters instead of writing letters to be scattered broadcast over South Norfolk. If any wrong had been discovered in connection with him (Mr. WALLACE) why was he not asked to come forward and answer for his conduct? He had been summoned as a witness to come to Ottawa, but when he came nothing was said against him. He called the attention of the Department to the fact that he was here, and ready to answer any charges preferred against him; but the matter was allowed quietly to drop, the object in view in referring to it at all having passed. He was not aware whether he had a right to ask for this committee or not, but he demanded justice from the hon. gentlemen opposite.

Hon. Mr. MACKENZIE said the hon. gentleman would have justice as far as he (the Premier) was concerned, but this matter was in the hands of the Sub-Committee of Public Accounts, and if he (Mr. MACKENZIE) understood right, the hon. member had been summoned before the committee already, and would have an opportunity of making good his case. He (Mr. MACKENZIE) stated as a simple fact, that when the hon member left the service of the Government to become a candidate, he was paid all but $2.08 of what was due him, and he afterwards paid himself $1,775.76 out of moneys improperly kept in his hands that he had no right whatever to deal with. After he became a member of Parliament he should not have remained in the service of the Government, or received any money from it. He (Mr. MACKENZIE) did not say the hon. member had not accounted for all the money for which he was responsible. He could not tell that, the accounts not being posted up. The hon. member asked why he (Mr. MACKENZIE) did not make some charge against him, and have him arrested when he came here. The reason was simply because he did not know there was any charge against him. With reference to young Mr. STEERS, whom he had caused to be arrested, the moment his

claim against the Government was presented, he (the Premier) immediately forbade Mr. FLEMING'S entertaining any claim, no matter how just it might be, until he had paid over to the Government what was due them. He had told Mr. STEERS, when he had called on him, that he (Mr. MACKENZIE) could not allow him to keep the public money received on account of the surveys. On that occasion Mr. STEERS promised to make good the amount due. He afterwards took legal advice, and kept the money, and the moment he (the Premier) discovered this, proceedings were taken against him to compel him to make restitution of the funds he held. As to the amount, he (Mr. MACKENZIE) did not pretend to give it. All he knew was that the Department had lost something like $1,000 by clerks in that office putting money in their pockets on the pretence of having claims for payment. He held a certificate from the Bank of Montreal that showed that on Aug. 2nd he had taken $8,279.21 of the public money when he had no position under the Government, and was not entitled to hold any money belonging to the Government.

Mr. RYMAL said he was particular, when assisting his friend, Mr. STUART, in South Norfolk, to abstain from bringing any charge against the present member for that constituency. He did say that if these charges were true—judging from what had transpired not long ago—he could say where some of that money had gone. He did not believe the hon. member was too pure in the days when his friends were in their agony, to advance them something towards the corruption fund, or to retain it for his own services. He (Mr. RYMAL) thought he was amply justified in saying more than that, in view of the fact that the hon. member's friends during the election were parading the streets of Dover with their hands full of money, and betting largely on the results of the election. He (Mr. RYMAL) believed that money was obtained by some other way than by chopping wood by the cord. Perhaps it was easier to obtain it by a system of book-keeping known only to the hon. member for South Norfolk. With reference to the allusion made to himself, he (Mr. RYMAL) could allow it to pass without saying a word. He had been known in Parliament as long as the hon. member, and he would treat that gentleman as the man did the jackass that kicked him. He would consider where he came from, and say no more about it. In the South Norfolk contest he observed, as he always endeavored to do, a strict adherence to truth. He charged the hon. member with no defalcation, but said it was mysterious after his having left office more than a year and a-half, that he was not able to give any account either of moneys or vouchers. All he asked the hon. member was—where the money and the vouchers had gone. After returning from South Norfolk, he (Mr. RYMAL) felt that he had dealt very gingerly with the hon member. If he had done that gentleman any wrong, it was not intentional. The publication of the letter, he was bound to say, had aroused a great deal of sympathy for the hon. member: to it he owed a great deal of his support. The appeals the hon. member made to the electors with his eyes streaming with tears, secured for him many of the votes which he received.

Hon. Mr. CAUCHON rose to a question of order. The hon. member asked for a Committee on documents not before the House.

Mr. SPEAKER said they were now included in the resolution.

Hon. Mr. CAUCHON said he knew nothing of the documents, and had not seen them before, and the resolution was therefore out of order. Since the matter was before the Committee on Public Accounts there was no necessity for bringing it up in the House.

Hon. Mr. BLAKE said the suggestion in reference to the point of order was quite correct. This question was one for the Committee of Public Accounts and a sub-Committee had been appointed to deal with it. Everybody was willing that the hon. gentleman should have the fullest opportunity of vindicating himself from the statements made with respect to him. He was sure the hon. gentleman would get from the sub-Committee ample justice, but if it should turn out contrary to his expectations, he was sure the House would be willing to take up the matter. On the statement of the First Minister the resolutions should be withdrawn. If there should be any hitch, or anything to prevent him from getting justice in the Public Accounts Committee, he (Mr. BLAKE)

gave his assurance that he would do his best to assist the hon. member to have the matter dealt with in the House.

Sir JOHN A. MACDONALD contended that the resolution was in order, but since the Premier declined to allow a Committee to be appointed, the hon. member would be obliged to withdraw it. What must strike every fair minded man in this House was this: that the Premier had placed this subject altogether on the ground that it was simply an investigation into the accounts of the hon. member for South Norfolk—that the question to be inquired into was simply whether he was a defaulter or not, and whether he was able to account for all the moneys he had received. It was charged that he had acted with great impropriety in receiving money after becoming a member of this House. This was being investigated, but there was something more that the hon. gentleman had avoided. He (Sir JOHN) asked not only that Mr. WALLACE's conduct should be investigated, but that the conduct of the First Minister should also be investigated. The Premier was on his trial as well as the hon. member for South Norfolk. The charge was that, on the eve of an election, in order to defeat a person seeking the suffrages of the constituency, in order to defeat a candidate opposed to him in politics and to secure the election of a friend, the Premier had written a letter and sent a subsequent telegram to be used at that election, not for the purpose of obtaining justice or restoring to the public treasury money feloniously taken therefrom, but for the purpose of defeating his political opponent and electing his political friend. The Public Accounts Committee could not deal with this matter. They could simply make a report with reference to Mr. WALLACE's accounts. However, the hon. member for South Norfolk must submit and withdraw his motion. The Sub-Committee would report to the Public Accounts Committee, and if justice were not done the hon. member there, he was sure there were enough honest men in this House to see justice done him. Although the member for South Norfolk was one of a small minority in this House, he could appeal to every fair-minded man for justice, and for a decision as to whether a Minister of the Crown can write a letter for an object that was so plain that everyone must understand it. He could pardon a good deal at election times, but it was not fair that the First Minister, in his zeal to elect a friend, should take the course he had pursued in the South Norfolk election.

Hon. Mr. HOLTON said he thought the charge made by the First Minister would be a very grave one if, on investigation, it was found that he had written what was untrue of Mr. WALLACE, now the hon. member for South Norfolk. The hon. the First Minister admitted that he had written the letter, and the leader of the Opposition was in as good a position now to move a vote of censure as the writer of the letter—if it wrong to have written it—as he could possibly be on the report of any Committee whatever. He desired to call attention to the point of order—whether the hon. member could change a motion of which he had given notice in a sense entirely contrary to the notice given.

Sir JOHN MACDONALD—That I did not hear; that point has not been taken.

Mr. CAUCHON—I raised it myself.

Sir JOHN MACDONALD—That point has never been raised up to this moment.

Hon. Mr. HOLTON—It seems to me that is the only point.

Mr. SPEAKER—I so understand the member for Quebec Centre. But when the hon. member for South Norfolk put the motion into my hands I directed his attention to the order, and suggested the easiest mode of remedying the defect, and I understood the sense of the House was that he should have permission to remedy the defect. I, therefore, accepted the motion put in my hands, and considered it put in my hands with the consent of the House. I so understood it.

Mr. CAUCHON—I never so understood it. Any member can object to any change, and I do so.

Sir JOHN MACDONALD said that the Prime Minister had addressed the House on the motion. However, it was a matter of no consequence, if the motion was not to be granted.

Hon. Mr. HOLTON said he was not in the House during the earlier part of the discussion; but he did not desire that the motion should go off on a point of order. If the hon. member for South Norfolk was

well advised, however, he would withdraw the motion. If he pressed the motion, it being in Mr. SPEAKER'S hands in order, it would be for the First Minister to consider whether they should have a motion of that kind negatived purely and simply, or whether he would move an amendment, and if he did not do so whether some hon. member should not exercise his right, and move an amendment in order to put the real issue fairly before the House. He did not desire it to go on the journals that the House negatived a demand, purely and simply, made by the hon. member for Norfolk for a Committee of inquiry into the matter.

Mr. WALLACE — As the hon. the First Minister has stated that the whole matter will be investigated — his writing the letter as well as my connection with the matter—and as I am not afraid of any Committee, I will withdraw the motion, and allow the question to go before the sub-Committee of the Public Accounts.

INSOLVENCY AND SUPREME COURT BILLS.

Sir JOHN MACDONALD—Before the Orders of the Day are called I would ask the Hon. the First Minister when we are likely to receive the Insolvency and Superior Court Bills. They are mentioned in the Speech from the Throne, and both Bills will be regarded by the country of so much importance and general interest that it would be well they should be laid before the House as soon as possible. For instance the Insolvency Bill interested all merchants from British Columbia to Cape Breton, and it would be well that it should be in the hands of members as soon as possible that its main principles should become widely known; and I hope it will be a final Bill, and that the subject will not be treated again for years after it has passed this Parliament, as no doubt it will be. It would also be desirable if it could be speedily known whether the Bill is in substance the old Bill, and if there are any material alterations and amendments, a printed synopsis of the alterations and amendments calling the attention of the House and the country thereto, should be prepared and distributed, because commercial men cannot readily read through an Insolvency Bill and understand its provisions, and any proposed changes. I hope the Bill will be very nearly identical with the old one. No doubt there will be numerous suggestions made to the Minister of Justice, and he will most likely adopt some of them by way of amendment; but I hope the same principles will be embodied in the new as in the old Act, if we are to have an Insolvency Act at all. So with regard to the Superior Court Bill. It will be a matter of very great interest, especially to members of the bar in all the Provinces; and I am quite sure I am speaking the sentiments of all who hear me, and the sentiments of the country when I say that the leader of the Government would confer a favor by having the measures brought down without any delay, so that the House may deal with the questions as soon as possible.

Hon. Mr. MACKENZIE—I quite concur in the remarks of the hon. gentleman as to the propriety of having these measures brought down immediately. We did expect to bring them down on Tuesday, but as the Budget Speech and the speeches which followed occupied the whole of the evening, they were unavoidably postponed until to-morrow. The Insolvency Bill will be brought in to-morrow, and the Supreme Court Bill will be introduced on Monday.

Sir JOHN A. MACDONALD—When will the Bills be printed.

Hon. Mr. MACKENZIE—They are now in print. The Insolvency Bill will be distributed to-morrow or the next day, and the Superior Court Bill during the early part of next week; so that not much time has been lost.

Sir JOHN MACDONALD—No; I don't complain at all.

Hon. Mr. MACKENZIE—My hon. friend the Minister of Justice will be able to state very fully the changes made in the Insolvency Act, and it is the intention of the Government—(it was done formerly, and is a very proper proceeding)—to refer the Insolvency Bill to a special Committee of perhaps twelve or fifteen leading professional and commercial members of the House, with a view to obtain such amendments as might be thought desirable in Committee, so that, when it came before the House at its next stage, it will pass through almost as a matter of form.

Sir JOHN MACDONALD — Hear, hear!

MILITARY DRILL.

On the order for further consideration of the proposed motion of Mr. BROUSE for the appointment of a Select Committee on the subject of a system of military drill, and the proposed motion of Mr. CAMERON (South Ontario) in amendment thereto,—

Hon. MALCOLM CAMERON said he was glad the question was in its present position, because it was evident that the amendment which he had hastily prepared did not fully express his views. He intended to submit a substantive motion to the House on the subject which he hoped would receive the approbation of the whole House, and he was therefore glad to withdraw the amendment.

Amendment withdrawn accordingly.

Mr. DYMOND said the hon. member for South Grenville who moved the resolution, was unable to be in his place owing to pressing egagements. The mover was very desirous that the discussion should not terminate until he had had an opportunity of replying to the remarks of the hon. member for South Ontario, but as that hon. gentleman had pledged himself to bring up the subject on a substantive motion the member for South Grenville would no doubt be satisfied to have the motion drop and take the opportunity of entering into the discusion at a future time.

Mr. GORDON said before the subject was dropped he wished to offer a few words on the amendment. As the colleague of the member for South Ontario, he desired to enter his protest against a sentiment which fell from him when supporting his amendment to the motion of the member for South Grenville, viz., that this country was indefensible as against the United States. That was a sentiment which was not reciprocated by any constituent in the county represented by the hon. gentleman. It would be most unwise and unpatriotic were they to allow such a sentiment to go forth to the country, as emanating from this House, uncontradicted; therefore, he desired to enter his protest against it, believing that it was not in accordance with the views and sentiments of the mass of the people of this country, and the antecedents of Canada would not warrant such a statement. In 1812, when we possessed a small population compared with that we now possess, we were not afraid to encounter the forces under a General who said he would be able to conquer Canada with a corporal's guard. With the trifling aid which we obtained from England, we were able to repel the invaders. And now, having a population equal to that of the United States at the time she achieved her independence of Great Britain, and being backed by the powerful support of Great Britain, having the promise of the support of Great Britain to her last man and last gun if necessary, it would ill become us to show a craven spirit by allowing such a sentiment as that expressed by the member for South Ontario to be promulgated throughout the country.

The motion was withdrawn.

CRUELTY TO ANIMALS WHILE IN TRANSIT.

Mr. CHARLTON moved the second reading of an Act to prevent cruelty to animals while in transit by railway, within the Dominion of Canada."—Carried.

ALLOWANCES AND GRATTITIES.

Right Hon. Sir JOHN MACDONALD moved for an address to HIS EXCELLENCY the GOVERNOR-GENERAL praying that he will be pleased to cause a return to be prepared and laid before the House showing, with respect to the allowances and gratuities granted under the Act 33 Vic., cap. 4—since the beginning of the year 1874—the grounds of superannuation in each case, the age of each person superannuated, the names and ages of the persons appointed to succeed the person so superannuated, and the offices and salaries held by such successors respectively. —Carried.

VACANCIES SINCE GENERAL ELECTION.

Right Hon. Sir JOHN MACDONALD moved that the Clerk of the Crown in Chancery be ordered to lay before the House, without delay, a statement showing 1st. The vacancies that have occurred in this House since the last general election, the date when each vacancy took place, and when the same was notified to Mr. SPEAKER. 2nd. The date of the warrant of Mr. SPEAKER for a new writ in each case. 3rd. The date of the issue of the writ in each case. 4th. The date of the transmission of the writ to the Returning Officer in each case. He observed that

there was a good deal of irregularity in this matter, and the same irregularity existed in the time of the late Government, and he would be glad if the hon. gentleman opposite would provide in his election bill some remedy for it.

Hon. Mr. MACKENZIE remarked that it would be more interesting to include in the motion the two last Parliaments as well as this one, and suggested the following addition to the motion :—"And also a similar statement respecting the vacancies occurring during the two last Parliaments."

The motion with this addition was carried.

GRANTS TO MANITOBA VOLUNTEERS.

Right Hon. Sir JOHN MACDONALD moved for an address to HIS EXCELLENCY the GOVERNOR GENERAL, praying that he may be pleased to cause to be laid before this House a return of all applications made by persons who served in the Militia Volunteer Force in Manitoba, and who have been invalided or discharged before the termination of their term of enlistment, for grants of land in that Province. It was known that the volunteers first sent to Manitoba were promised grants of land in addition to those they might receive as settlers if they filled the term of their enlistment. Before the time expired applications were made by volunteers who were invalided for these grants, but they were not received with much favour, for the very obvious reason that it would encourage others to leave the force whenever they could get the pretext for doing so. However, that reason had no force now, and if it was true, as he was informed it was, that applications had been made by parties whose health had broken down in the service before their term expired, he thought their cases should be considered. He himself was personally aware of some such cases, and he thought they were as much entitled to the grant as those whose health having been preserved had remained in the service to the end. Some he knew had died, and their families should receive the grant.—Motion carried.

SUPPLY.

On motion of Hon. Mr. CARTWRIGHT the House went into Committee of Supply, (Mr. SCATCHERD in the chair.)

The item "Charges of Management" was first taken up.

Hon. Mr. CARTWRIGHT explained that there was an increase over last year of $500 in the office of the Assistant Receiver General at Toronto, caused by increasing the salaries of two or three clerks who had been a long time in the service. At Halifax there was a decrease of $2,000, and at St. John an increase of $2,000, the salaries at both places having been revised. At Fort Garry there was an increase of $2,500, the total amount being the amount that was actually expended last year. There was a decrease in the charges for seigniorial tenure and commission of $3,500. Most of the claims had been paid and the balance would be closed within a few weeks.—Item adopted.

ITEM ADOPTED.

Civil Government, $715,025.

Hon. Mr. CARTWRIGHT said there was an increase in the Privy Council of $1,580. The Chief Clerk received an increase of $300, his former salary being $1,900, the three next officers had their salaries increased, and a junior second class clerk had been added. In the Department of Justice, there was an increase of $2,900, two additional officers having been found requisite, and who having to be professional men, had to be paid a higher salary than first class clerks.

Hon. Mr. FOURNIER also stated that the gentlemen added to the staff were required to perform professional duties.

Hon. Mr. CARTWRIGHT said there was an increase of $1,900 in the Militia Department, $700 being caused by the increase of $50 a year provided for by the Civil Service Act, and the remaining $1,200 was the salary of an additional first-class clerk that was found necessary.

Hon. Mr. VAIL was understood to say that this additional officer was required in consequence of the clothing for the Militia having been contracted for in this country. Item adopted.

On the item of $28,930, Secretary of State's Department,

Hon. Mr. CARTWRIGHT said the increase of $2,230 was to some extent caused by an Order in Council passed by the right hon. gentleman opposite before he went out of office. which the present Government confirmed. The other addition was caused by the appointment of a

private secretary not formerly employed, who received some four or five hundred dollars, and an additional clerk in the department.

On the item of $39,390, Department of the Interior,

Hon. Mr. CARTWRIGHT said the increase of $3,120 was merely due to numerous treaties with the Indians of the North-West, and the increase of staff necessary to perform the duties. There were also statutory increases in this department, and one or two promotions from second to first-class clerks.—The item was carried.

On the item of $20,898, Receiver General's Department,

Hon. Mr. CARTWRIGHT said the increase was statutory.

Right Hon. Sir JOHN MACDONALD reminded the hon. gentleman that his Party, when upon the Opposition side of the House, had advocated the abolition of the Receiver-Generalship on the ground that it was a sinecure. He would like to know whether it was their intention, now that they had the opportunity of doing it, to carry this out.

Hon. Mr. CARTWRIGHT said that subject, as well as many other important ones, was under the consideration of the Government.

Mr. MILLS said the right hon. gentleman had himself contended that there should be certain members of the Cabinet with very little to do.

Right Hon. Sir JOHN MACDONALD said he had done so, and he was very glad that his hon. friends had now come to see that there was some force in what he had said.

The item was carried.

On the item of $47,000, Finance Department,

Hon. Mr. CARTWRIGHT said there was a decrease on account of the superannuation of Mr. DICKINSON. This had been more or less balanced by the statutory increase. There were nevertheless some $230 of a decrease.

The item was carried.

On the item $26,350, Customs Department,

Hon. Mr. CARTWRIGHT explained there was a slight decrease in consequence of a vacancy which had not been filled up; it was possible it would not be necessary to fill it up, but the Government would not pledge themselves to that course.

The item was carried.

On the item $23,840, Inland Revenue Department,

Hon. Mr. CARTWRIGHT said the standard branch created an increase of over $2,000. The rest of the increase was merely statutory.

The item was carried.

On the item $49,890, Public Works Department,

Hon. Mr. CARTWRIGHT said the only increase was statutory.

The item was carried.

On the item $88.180, Post Office Department,

Hon. Mr. MACDONALD said when he came into office he found fourteen clerks employed over and above those whose names appeared in the estimates, and who were provided for out of the contingencies. He at once put ten on the regular list, and after giving a fair trial to the four most recently appointed, he added them also. The staff was thus increased to 82. Since then he had appointed 18 more consequent upon the changes in connection with the Dead Letter Department. He found that the dead letters were destroyed instead of being returned, and he thought he ought to carry out a system similar to that which prevailed in England. That required the employment of ten additional clerks, all of whom were paid reasonable salaries.

Right Hon. Sir JOHN MACDONALD said ten was a very large number.

Hon. Mr. MACDONALD said his right hon. friend would find if he went to the department that they were all hard at work, and also that there would be very few clerks kept unemployed about the department so long as he (Mr. MACDONALD) had charge of it. In the Money Order Department there were five new clerks employed and one or two in the other branches. The amounts paid in this way were formerly paid out of the contingencies and did not appear upon the estimates. He had no fault to find with the system of his predecessors because he believed the business of the department was as well managed then as now, but he did believe that it was better to place these names upon the estimates so that they should appear publicly. The Assistant Postmaster General had been given a private secretary, a step which had been urged

upon him by the late Postmaster-General. This accounted for all the increase.

The item was carried.

On the item $27,340, Department of Agriculture,

Hon. Mr. CARTWRIGHT explained that there had been several increases of salaries to deserving officers, amongst others being $250 to Mr. LOWE. There had, however, been a saving of some $6,000 over the whole.

Item carried.

The following items were passed without discussion:—

Department of Marine and Fisheries, $22,210.

Treasury Board Office..	$ 3,200 00	$ 3,250 00
Marine and Fisheries Department Agencies..	14,900 00	
Dominion Lands Office, Manitoba	14,515 00	
Public Works, Department, British Columbia	4,000 00	
Departmental Contingencies.....	175,000 00	175,000 00
Stationery Office for Stationery	20,000 00	20,000 00

On the item $70,000,

Hon. Mr. CARTWRIGHT said that although this sum was asked under the Civil Service Bill which the Government proposed to introduce, it was not expected that it would be needed.

Mr. WOOD asked if this sum was to be devoted entirely to the officials at Ottawa. The outside service should have some fair consideration at the hands of the Government.

Hon. Mr. CARTWRIGHT said that this sum was especially appropriated, as had been explained by the right hon. member for Kingston, when the vote was first asked on behalf of the service at the capital. The outside service had been in some cases revised and increased.

Mr. IRVING said it constantly appeared in the newspapers that there had been some benefit granted to the civil service, and the outside services throughout the country thought that they had been unfairly treated when they did not get a share of it. The appropriation should be so made that there could not be any doubt as to whom it was intended for.

Mr. SCRIVER said he quite agreed with his hon. friend the member for Hamilton. There had been a great deal of dissatisfaction, founded upon the idea that this appropriation was intended for the whole service, while only those in Ottawa had the benefit of it. Collectors of Customs were living, or rather starving, upon salaries just the same as they had fifteen years ago.

Hon. Mr. MACKENZIE said it should be observed that the distribution of this money was restricted by Act of Parliament to the civil service, and the term "Civil Service" had been interpreted to apply simply to those engaged in the departments. Whatever course the Government might feel disposed to follow they were restricted from making its application more general than this. Besides, it must be understood if that $75,000 were distributed over all classes of Government servants it would not augment their salaries more than two or three per cent.

Right Hon. Sir JOHN MACDONALD said he could not speak from his own recollection as to the disposition of this money, but the hon. gentleman was mistaken in supposing that the term "Civil Service" applied only to the employees in the departments. The Act declared there were two classes in the Civil Service—the inside service and the outside service.

Mr. McDONELL hoped a portion of this fund would be applied to increasing the salaries of postmasters, who, in his opinion, were not fairly paid. In the town of Port Hood, in his own constituency, the postmaster was paid only $200 a year including all the perquisites of his office from the sale of postage, stamps, etc. He had to make up two mails a day, one of them arriving between midnight and two a. m. This officer had sent in his resignation. The customs officer received $600 per annum for services much lighter than the postmaster's. The latter offered to exchange places with him and to discharge his duties for $200. He (Mr. McDONNELL) did not believe that the Government should expect a revenue from the Post Office Department.

Mr. LANDERKIN said country Postmasters were generally in some other business, and instead of finding the Post Office an injury to them, they found it a great advantage. In the constituency he represented there was a Postmaster whose salary was $23 a year. He had to make up two mails every day, one at midnight the other before daylight, and his remuneration was five cents a day and five cents a night. He did not complain,

because the Post Office was a great convenience to him. Instead of increasing the salaries of Postmasters, he (Mr. LANDERKIN) would favor diminishing them in cities and towns. There was a Post Office vacant in his own constituency recently, worth only about $50 a year; yet there were some thirty applicants for it. It could not have been for the salary, and there must have been some other advantage in possessing the office. It was not the duty of the House to encourage officials to look for an increase in their salaries; it would not be consistent with a policy of retrenchment.

Mr. WALLACE (South Norfolk), objected to the principle of distributing the $70,000 to the Civil Service by granting 15 per cent. bonus, as being inequitable, and suggested that the amount should be distributed according to the duties performed and the salary received.

Hon. Mr. CARTWRIGHT said they did not intend to amend that system.

Mr. GOUDGE said there were certainly some anomalies connected with the salaries of the Civil Service, particularly the postmasters. In the town of Windsor, N. S., the postmaster received only $680 a year, though he was obliged to devote his entire time to the duties of the office and had also to employ an assistant, while to his knowledge a junior clerk in the post-office at Halifax, and also at Ottawa, received between $800 and $900. There was a heavy responsibility resting upon the Windsor postmaster, as tens of thousands of dollars passed through his hands every week, and his salary had not increased for the last four or five years. His salary, of course, was based upon the receipts, but there were many offices, and Windsor was one, where the receipts were not a fair criterion of the amount of work done. As the inside Civil Service were receiving additions, he thought the outside service should also receive consideration.

Mr. WOOD hoped the Finance Minister would bring down a sum in the Supplementary Estimates for some additions to the salaries of the outside service. He might mention that one officer in the Customs who had been over twenty years in the service, occupying a very responsible position as appraiser, and who was now receiving only $800 or $900 in the second largest port in Ontario, his predecessor had received $1,200.

Hon. D. A. MACDONALD said his friend from Inverness had made out a strong case from his point of view, but he could tell him that Nova Scotia and New Brunswick had less to complain of than the other Provinces, as in those Provinces under the system in force before Confederation the post-masters received 80 per cent. of the collections, whereas in Ontario and Quebec they received only 40 per cent. He admitted that the pay was small, and he wished it was in his power to increase it; but to add $50 to each postmaster would make an additional charge on the revenue of no less than $225,000. In ninety cases out of a hundred he had half a dozen applications for every vacancy. A great difficulty had been found in the management of the offices in Nova Scotia and New Brunswick on account of the system of Way Offices, which he intended to convert into post offices as speedily as possible.

Mr. McDONNELL contended that the argument that the remuneration to postmasters could not be increased because the revenue from the Post Office Department would not permit of it, was not a sound one, because the rates of postage had been greatly reduced. Surely it would not be contended that if the postage on letters was reduced to one-half a cent, postmasters would receive only the same percentage.

Mr. BUNSTER said the postmasters in his Province complained of insufficient remuneration, and he instanced the case of Mr. HARVEY, postmaster at Nanaimo, who had resigned because he could not get an increase. The duties of postmasters in a new country like British Columbia were greater than in the older Provinces, because they received a great many more letters than they sent.

Mr. DECOSMOS called attention to the fact that although in the resolutions passed in 1873 the salaries of the Lieut. Governors were increased by $2,000, yet in the Act based upon these resolutions the amount of the salary of the LIEUT. GOVERNOR of British Columbia was, apparently by a clerical error, fixed at $9,000. It should have been $10,000, as his former salary was $8,000. He hoped this omission would be supplied, as the GOVERNOR was obliged to draw upon his

private income, his salary not being sufficient.—Item passed.

Under the head of "Administration of Justice,"

Hon. Mr. CARTWRIGHT explained with reference to the increase of $5,000 for Circuit Allowances in British Columbia, that the expenses of travelling were very heavy. Formerly the vote had not been sufficient, and the deficiency had to be made up out of unforeseen expenses.

Sir JOHN MACDONALD said the first vote was quite experimental. He would like to know if this vote would cover the whole expense.

Hon. Mr. CARTWRIGHT—Perhaps I should say it is hoped it will cover it. The hon. gentleman will understand that in a country like British Columbia these expenses varied very much from year to year according to the amount of work to be done.—Item carried.

The items under the head of Police, votes 23 and 24, were passed.

The items under the head of Penitentiaries, votes 25 to 31, were passed.

On vote 27, Penitentiary, Halifax, N.S.

Hon. Mr. TUPPER hoped there was no truth in the rumor that the increased salary for the warden was given with the object of displacing that officer and appointing another gentleman in his place.

Hon. Mr. CARTWRIGHT said he had not heard of any such intention on the part of the Government.

Hon. Mr. FOURNIER said he had heard the rumor, but that was all he knew about it.

On the item of $37,000 for maintenance of prisoners in Manitoba, British Columbia and P. E. Island.

Mr. BUNSTER called attention to an act passed last year to prevent the sale of intoxicating liquors to Indians. He thought the Indians should be allowed to go to a bar and have a glass of comparatively pure liquor, rather than drink the foul stuff they obtained from the United States, in fact, they had become so disgusted with that article that they had resolved to distil liquor for themselves. He hoped the Minister of Inland Revenue would give favorable consideration to the Indians of British Colnmbia.

Mr. CUNNINGHAM said he could not allow the remarks of the hon. member to pass unchallenged. The Liquor Law relating to British Columbia, which was passed last session, was doing good work. He was glad to see that those who had been engaged in selling liquor to the Indians had been caught and punished. No greater boon could be conferred on British Columbia than that law. He hoped the day would never come when the Indians of British Columbia could purchase liquors and become intoxicated, for the lives of the whites would then never be safe. To supply Indians with intoxicating liquors was not the way to elevate them in the scale of morality, or teach them the principles of the Christian religion.

The Committee rose and reported.

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at eleven o'clock.

HOUSE OF COMMONS.

Friday, February 19th, 1875.

The SPEAKER took the chair at three o'clock.

PRINTING COMMITTEE'S REPORTS.

Mr. ROSS (Middlesex) moved the adoption of the second and third reports of the Joint Committee of both Houses on Printing. He explained that the second report referred merely to the usual report of the sub-committee on the accounts of the clerk, and the third report to the rules which a sub-committee had laid down for the reporting and printing of the Parliamentary debates.—Carried.

REPORTER FOR PUBLIC ACCOUNTS COMMITTEE.

Mr. YOUNG moved that the sub-committee appointed to consider certain irregularities connected with the Intercolonial Railway be authorized to employ a short-hand reporter to take down evidence.

Sir JOHN A. MACDONALD suggested that the motion be modified so as to give authority to the Public Accounts Committee to employ a short-hand reporter, as the House was not supposed to know anything about sub-committees. In fact it was a question whether a Committee of the House had power to appoint sub-committees, though as a matter of convenience they might do so,

Mr. YOUNG said he had no objection to the modification, and at the suggestion

of the Premier, the motion was changed to read as follows:—"That the Select Committee on Public Accounts be authorized to employ a short-hand reporter to take down such evidence as they may find requisite."—Motion carried.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:—

Mr. BABY—to incorporate the Pictou Coal and Iron Company.

Mr. CURRIER—To incorporate the Lower Ottawa Boom Company.

Mr. BOWELL—To incorporate the *Intelligencer* Printing and Publishing Company.

Mr. BABY—To incorporate the Industrial Life Insurance Company.

Mr. FRECHETTE—To incorporate La Banque St. Jean Baptiste.

THE INSOLVENCY LAW.

Hon. Mr. FOURNIER introduced a Bill respecting insolvency. He said it was, with some modifications in certain clauses, the same as the measure introduced last year by Mr. DORION. The House would recollect that the principal features in that Bill were the abolition of voluntary assignment, the appointment of assignees by the Government, large modifications in the powers of assignees and inspectors and numerous provisions respecting the exercise of these powers. The judicial functions of assignees were altogether taken away and there was a provision relating to the sale of real estate, especially in Lower Canada, with several provisions respecting the application of the Act to Corporations. These clauses were modified in the Bill now presented. The reasons for changing the clause respecting voluntary assignment were these: Small traders, after having exhausted their assets, frequently rushed into bankruptcy without consultation with their creditors. The consequence was that having gone in merely for the purpose of getting whitewashed the most fraudulent debtors could get a discharge. This was considered a sort of protection to dishonest traders. By doing away with this clause, it was believed that small traders, in such cases, would be obliged to consult more with their creditors than they now did. As this Bill required the consent of creditors holding claims to the amount of only $500, to put an estate into insolvency, any merchant desiring to go into bankruptcy could do so. In England, he believed, a merchant could not go into insolvency except after consultation with his creditors, who decided whether he should become an insolvent or not. He did not see any difficulty in adopting this clause, but if there should be any great objection to it, the Government would not insist upon it. As to the assignee, it had been thought proper to leave the power of nominating them, in the hands of the Government. He knew the Board of Trade attached a great deal of importance to the nomination of these officers. It must be remembered that these official assignees had the power of receiving assignments and writs in cases of attachment. Under this Bill, power was left to the creditors at their first meeting to appoint an assignee of their own as soon as they proved their claim. He believed there would be found a great advantage in the Government appointing these assignees. They would be responsible to the Government in case of malversation, and there would be greater control exercised over them than before. They would be bound to give security not only for the due performance of their duties but also security for the benefit of the creditors. The object of the Bill was to give the creditors greater control of the estate. The power of inspectors was therefore augmented very considerably. If the creditors did not appoint inspectors themselves, then the courts would. The duties of inspectors would be to advise the assignees as to the disposal of the estate. In all matters of importance nothing would be done without their advice. The assignee would lose the control he formerly had over the moneys arising from the sale of the estate. As soon as he had in his possession $100, it would be deposited in a bank not in his own name but in the name of the estate, and afterwards he would be bound to open an account with the bank and keep a pass-book, in which all deposits for the estate should be entered. After being deposited the money could only be withdrawn on a joint check signed by the assignee and inspector, so that the funds would be entirely beyond the control of the assignee. This regulation, it was hoped, would prevent such difficulties arising as the use of the moneys by the assignees themselves. Cases had occurred where the

moneys of estates had been used, and the assignees were obliged to go into insolvency themselves or leave the country. The interest on the money so deposited would bear interest in favour of the creditors and the amount coming out of the funds deposited would be kept in the same way as the principal deposited. The judicial functions of the assignees had been done away with altogether. It had been found in practice that it was not the assignee who adjudicated claims according to his own knowledge of the law or his own judgment. It was generally some lawyer that he employed, who might be interested for some other creditors, or the assignee himself might be acting as the agent of some of the creditors and adjudicating claims in which he was interested. These powers were taken away from the assignee, and it was provided that any difficulties arising should be settled in a summary way by the judge who should give twenty-four hours' notice that he would adjudicate upon such contestation. In case parties were not satisfied with his decision, they might either go into Appeal or Review according to the law of the Province in which the case occurred, if the amount was sufficiently large. One subject upon which several important provisions had been established, was the sale of real estate. Great injustice was suffered in Lower Canada in consequence of the mortgage system which was different from the system prevailing in the other Provinces. In the Province of Quebec the sale of a mortgaged estate by a sheriff or by an assignee had the effect of clearing off the mortgage altogether, It was not so in the other Provinces in which the property was sold subject to mortgage. It often happened in Quebec that a property mortgaged to very nearly its value happened to pass into the hands of a merchant going into insolvency, in which case all the costs were paid by the mortgage creditors, while, in fact, their claims should have the preference. It was proposed to remedy this inconvenience. As to corporations, the difference between this Bill and the Bill introduced last session, was that no writ of attachment would be obtained from a judge or court without a notice having been given for forty-eight hours to the officers of the company. It would be at the discretion of the Judge or Prothonotary to order the Official Assignee to inspect the books of the company and examine their affairs. Provision would be made to oblige the company to give such information as might be required. In case of refusal the court was empowered to punish the company's managers for contempt of court. If, upon examination, it should appear that the company was not in a hopeless state of insolvency, but only temporarily embarrassed, then it would be in the power of the Judge to order the Official Assignee to give superintendence over the management of affairs. The officers of the company, after such order, would be considered as trustees for the creditors. This state of things might continue for six months. If after that time the business of the company were not in a more prosperous condition, the Judge might order the winding up of the business. If on the contrary it should appear there was a hope that the company might recover from their embarrassments, it would be in the power of the Judge to give another delay of six months. A company might have, according to circumstances, a delay of twelve months. This was a favourable position to place companies in because, under the existing law, they could be put regularly into insolvency, and their properties might be attached without any delay whatsoever. The provisions of this Act, it was believed, would protect companies from being forced into insolvency through the anxiety of creditors for a settlement. He had availed himself of the suggestion made by the hon. member for Kingston, and printed on a separate sheet the difference that existed between the present law, and the Bill before the House. In the preparation of the measure he had given close attention to the suggestions of every Board of Trade. In fact, with a very few exceptions they had been introduced into this Bill. Those which he had not adopted were not in harmony with the principle of the Bill.

The Bill was read a first time.

Hon. Mr. TUPPER inquired if the Bill would be sent to the Committee on Banking and Commerce, as was done last year.

Hon. Mr. FOURNIER said it would be referred to a Select Committee as was done in 1871. The Bill would be distributed and sent largely to persons interested.

Hon. Mr. TUPPER asked the hon. gentleman to indicate about the time when the Bill would go before the Committee so that parties interested might have an opportunity to be present.

Hon. Mr. FOURNIER—About the end of next week, I suppose.

The Bill read a first time.

GAS INSPECTION.

Hon. Mr. GEOFFRION introduced a Bill to amend the Gas Inspection Act of 1873. He said that some difficulty had been found in applying the Act passed some few years ago. The most important alteration proposed to be effected by the new Act was this :—The law provided that in the immediate vicinity of the gas works an office should be placed in which the gas was tested. In England the law said that such office should not be placed within one thousand yards of the works. It was proposed in the Bill that the office should be established at a distance of not less than five hundred yards.

The Bill was read a first time.

MARINE ELECTRIC TELEGRAPH.

Hon. Mr. MACKENZIE, in moving the second reading of "An Act to regulate the construction and maintenance of the Marine Electric Telegraphs," said he had to give some explanations to the House to account for the Government taking possession of the Bill which was passed last Session through the hands of a private member. The correspondence that had been laid before the House would show that the Government felt impelled to take direct interest in the obtaining of the sanction of HER MAJESTY'S Government to the Bill of that Session. It was reserved, not because the Government had any doubt as to the perfect right of Parliament to pass the Act, or as to the perfect equity of the proceeding, or that any right, legal or equitable, would be injured under it, but simply because strong representations had been made to the Parliament of Canada and to HER MAJESTY'S Government in England, concerning the supposed rights of certain parties connected with the Anglo-American Telegraph Company. And in order that there should be no possible reason for complaining that the rights of parties living out of the Dominion of Canada had been sacrificed or injured by that legislation, it was left to HER MAJESTY'S Government to decide whether it was a subject upon which we had a right to legislate, and whether that legislation was of such a character as should receive the sanction of HER MAJESTY'S Government. He would state the facts as succinctly as possible, and then he intended to send the Bill to the Railway Committee, and give every one who desired an opportunity of appearing in order to represent their own views. HER MAJESTY'S Government, in the despatch that was before the House, concluded as follows:—"While, therefore, I entirely appreciate the action of your Ministers in reserving the Bill, I am of opinion that any further consideration of the subject should be given by that body whose province, as I have observed, is to deal with such questions, and that I cannot properly assume the function of deciding between the conflicting views of those who have addressed me, whether in favor of, or against the policy embodied in this measure. In order to enable this to be done, I have decided to leave the present Bill in abeyance, and to tender no advice to HER MAJESTY respecting it." The Government took the ground, as would be observed by the Minutes in Council, that there was no reason for disallowing this Bill. HER MAJESTY'S Government had assented to that proposition, but deemed it proper, instead of giving the formal assent, to leave it to this Parliament to act afresh, after tendering the advice that they had perfect confidence in leaving the matter to be dealt with by the Canadian Parliament. The object of the Bill was to terminate a monopoly practically enjoyed in the Province of Nova Scotia, and consequently in the Dominion, and prevent the establishment of any monopoly in cable telegraphing; and it became all the more necessary to do this as the Island of Newfoundland had practically established a monopoly which extended to the whole Dominion, and he might say to the whole of America, the Island being used as a telegraph cable station in the middle of the Atlantic. The policy that this measure embodied was one that was entirely consistent with the policy of the British Empire and with the policy of Canada, and was in accordance with all the legislation that had taken place in the United States, for the United States refused to cede any special privilege to

the French Telegraph Company, which sought to obtain a special concession for a length of time in bringing that cable to their shores. The Act under which the company enjoyed their monopoly in Newfoundland was passed by the Legislature of Newfoundland in 1854, and they had by its terms a fifty years' concession, but it was provided in the Act that the Island Government might at any time after the expiration of twenty years exercise a right of pre-emption. It was generally supposed, he observed in the papers, and in some of the speeches of gentlemen who had discussed this matter, that this monopoly embraced the cable between England and Newfoundland. That was an entire mistake. The Newfoundland Company simply had a monopoly upon the Island, and in the cable, so far as they could give it, stretching from the Island to Cape Breton, and from Newfoundland to the Island of Prince Edward. The cable from Newfoundland to Prince Edward Island was never laid, and it was a question whether they enjoyed any rights at all in reference to that at the present moment as the Company transferred their supposed rights without the sanction of the Prince Edward Island Legislature before the Confederation of that Island with the Dominion,—without the sanction of the Dominion Legislature since the Union—without the sanction of either party who were capable of giving that sanction. But in order that there could be no possible difficulty on that score he had provided in the Bill this year that whatever rights they might possess—that was the Company to whom the transfer was made—of a legal character, in Prince Edward Island, would be reserved to them. In 1856 the Government of the United States passed an Act which had for its object the promotion of cable telegraph communication, and which contemplated the granting of a monopoly to some Company in order to attain that object. It was known to those who were conversant with the matter that HER MAJESTY'S Government at the time, disallowed this Act. The reason was given in a despatch dated 18th January, 1858, in which Mr. LABOUCHERE, the then Colonial Secretary, states, "This Act purports to give the "New York, Newfoundland and London "Telegraph Company (subject to their "performance of certain conditions, and "to the conclusion of the agreement "specified in Section 6) the exclusive "right to furnish the Province "with the means of telegraphic "communication for a period of 25 years. "I wish to refer you to the despatch "addressed to you by Sir GEORGE GREY, "when holding the seals of this depart-"ment, on this subject, under date of the "22nd March, 1855." He (Mr. MACKENZIE) had searched for this despatch, but had failed to find it. "HER MAJESTY'S "Government sees no reason to modify the "views expressed in that despatch and its "enclosures, which have, on the contrary, "gained additional force by later experi-"ence. They consider that the grant for "such exclusive privileges is highly "inexpedient, not only for the interests of "the Province, but of the Empire in "general. They are fully aware that it "was urged that similar privileges have "been conceded by the Legislatures of "Newfoundland and of Prince Edward "Island without the disallowance of the "Crown. But they must reply that the "implied sanction of these acts, given "without fully adverting to considerations, "the magnitude of which has been ever "since acquiring a greater development, "does not bind them to a continuance in "a course of policy, which, they are "satisfied, cannot but prove extremely "injurious, and thus beyond the limits of "the colony immediately concerned." Such was the view of HER MAJESTY'S Government at that time, and he had no reason to doubt that such was the view entertained by them still. At the present time the position of the matter was this: In May or June, 1873, the Newfoundland Company which possessed the limited monopoly that he had adverted to,—that is, merely the privileges of the land of the Island and the cables to Cape Breton and Prince Edward Island—effected an amalgamation with the English Company, formed, he believed, under the English Joint Stock Act which owned the cable between the Island and Ireland. This amalgamation was effected under powers given by the Act of the Colonial Legislature under the name of the Anglo-American Cable Company. That was the company that now presumed to assert the right of monopoly upon the Island, and also to land their cable on Nova Scotia. To be sure they did not assert that they

had any legal right to land their cable on the shores of the Dominion. They merely asserted that having possessed the right for twenty years their privilege of exercising that right should not now be interfered with by any legislation of the Dominion. That ground, of course, the Government did not admit, and besides the stock of the company was chiefly held, and the greater portion of the value of the property was owned by those who never did possess even the limited monopoly that he had referred to, and had only acquired the rights they now possessed by the amalgamation effected nearly two years ago. In the controversy that had arisen and in the allegations made last year chiefly before the Senate Committee, but also to some extent before the Committee of this House, it was assumed that about seven millions sterling, the capital that this company possessed, was the amount of property that this Bill affected; but we now know from the opinion of the highest legal authorities in England that it only affected the property that was comprised within the terms of the Act of 1854, meaning the shore privileges and the minor cables across the straits. They had the opinions of Sir RICHARD BAGGALLAY and Sir HENRY JAMES to this effect; and they had even more than that in the recent despatch of Lord CARNARVON to the Governor of Newfoundland of the 17th November, 1874. In that despatch he stated:—

"But having regard to the conflicting legal opinions to which you refer in your despatch, I have thought it desirable, in the interests of your Government, to consult the Law Officers of the Crown as to the subject-matter comprised within the power to purchase conferred upon the Newfoundland Government by section 15 of the Act above referred to; that is to say, whether that Government could claim to buy out the whole interest of the Company for the actual appraised value of the telegraph lines, wires, cables, apparatus, vessels and all other appliances connected therewith; or whether any further claim could be made by the Company for compensation for the loss of the monopoly which would be terminated by such purchase, or for any other right or interest conveyed by the Act, and further as to the course which it might be advisable that the Government of Newfoundland should take with a view to determine its power to purchase.

"I am accordingly advised that the expressions, 'other property' and 'all other property connected therewith,' used in the 15th section of the Act of 1854, were intended to comprise merely property of the same nature as the property mentioned in the parts of the section immediately preceding those expressions, and therefore that upon payment of the amount awarded as the value of the telegraph lines, wires, &c., under the provisions of the above mentioned section, the undertaking of the Telegraph Company will become vested in Her Majesty, and that the Telegraph Company will not be able to insist upon the arbitrators or umpire awarding an amount of compensation for the good will of the concern, or the loss of the monopoly."

This clearly established the fact that in the opinion of the Law Officers of the Crown in England past and present, the entire amount that the Government of Newfoundland, if they gave notice as they might do to terminate the monopoly, would be responsible for was that which was provided for in the Act of 1854, and that they had nothing whatever to do with the value of the cable across the Atlantic. That was a matter entirely apart from the Act of 1854, as it was never constructed by this company. That being the state of the case at present, the Dominion Government conceived that the proper time had arrived to pass an Act which would regulate for the future the operations of any cable company intending to do business in the Dominion, and the present Bill accordingly provided for such regulations. He might say that since the House met he had received intelligence from Newfoundland that the Government had actually given the cable company notice of their intention to purchase, as they might do at any time before May, of this year. There was a substantial reason why this notice should be given at the present time. On the amalgamation of the Companies in May or June, 1873, the Anglo-American Company distribute stock according to the agreement entered into by the shareholders of the Amalgamated Company, but there was the sum of £135,000 sterling in round numbers reserved, which would only be distributed in the event of the Newfoundland Government not assuming the lines under the Act on or before the 1st day of May, 1875, so that the Island Government had a direct interest in terminating the monopoly by pre-emption at the present time; and the parties chiefly interested—CYRUS FIELD principally, who conducted, he believed, the opposition to this Bill in this quarter—had a direct interest in desiring the prolongation of their monopoly because this £135,000 would not be distributed if the

Island took the matter in hand as he understood they had done. He would be prepared to give any further explanations that might be desired regarding the measure. The Bill now presented to the House was exactly similar to the one of last Session with the exception of the proviso to the 15th section, and the sub-section of section 16 and section 17. Section 17 simply provided that any acquired rights that this Company might possess on Prince Edward Island should be reserved, and the other two sections were simply intended to make the Bill more complete by providing for certain circumstances that might possibly arise.

Hon. J. H. CAMERON asked what would be the position supposing no right of pre-emption was exercised, but an absolute stop was put to the monopoly.

Hon. Mr. MACKENZIE—I do not exactly understand my hon. friend. Does he mean our position, or the position of the Company?

Hon. J. H. CAMERON—My hon. friend says the opinion of the law officers is that only certain matters can be estimated in damages. Other parties have given opinions that something very different can be estimated in damages. But what I want to understand is supposing, instead of the right of pre-emption being exercised that the whole thing was put at an end, so that the cable was useless is the damage merely to be estimated as the hon. gentleman has stated, or has he any view on that subject?

Hon. Mr. MACKENZIE said he had a very decided view on the subject, and that was that they had nothing to do with the question of damages. That did not concern them. What concerned them was; were they doing any damage to any parties who had any right to anything at their hands. Did the company possess any privileges legal or equitable within the Dominion of Canada that the Government were bound to consider. He did not think they did. But in any case, supposing that some party was bound to pay some compensation, the compensation could only extend to rights acquired under the act of 1854. That he took it to be quite clear so far as a layman was capable of forming an opinion upon the subject. Of course he gave his own opinion with great deference, and in a matter of this sort it might not be worth much, but the opinion of the English law officers of the Crown was worth a great deal, as was also the opinion of the hon. gentleman opposite, a distinguished lawyer in this country; but in a matter of this sort he was bound, so far as legal opinions had any weight, to be guided by the opinions of the law officers of the Crown. But he did not for a moment admit that this was a matter that concerned us further than that it was desirable to present a fair view of the whole subject to the House in introducing this Bill. This company claimed that because they were allowed practically to enjoy a monopoly for twenty years they should be permitted to enjoy it for the future. That was a claim that, of course, the Government could not admit; it was based on neither legal nor equitable grounds. The company practically received notice from the Colonial Ministry in 1857 that nothing in the direction of a monopoly could be permitted by the Imperial Parliament, even if the Provincial Legislature was disposed to sanction it.

Hon. J. H. CAMERON approved of the proposal to send the Bill to the Railway Committee, where all the parties interested could be heard. The leader of the Government had very fairly laid the whole matter before the House from his point of view, and aside from that statement, any discussion, until the Bill came before the Railway Committee, would be premature. When it came before the Committee, other considerations than these submitted by the Premier might be brought forward, which might lead to other conclusions than those arrived at by the hon. gentleman. He would not now take up the various clauses of the Bill, but in view of the importance to this country of not being suddenly deprived of telegraphic communication with the other side, he thought it would have to be considered how far it would be advisable to adopt the concluding terms of the 14th clause.

Hon. Mr. MACKENZIE said that while it was convenient to have a Bill of this sort considered in Committee, it should be discussed in the House in the first place. Either it was right in principle or it was wrong. If any members thought it was wrong in principle, now was the time to oppose it, and show wherein it was wrong. If it was wrong in principle it should not go to the Rail-

way Committee at all. It was only when it was admitted that a Bill was one which should pass in some shape that it should go to a Committee.

Sir JOHN A. MACDONALD said it was impossible for them to enter into the discussion of the Bill until they had the despatch the hon. gentleman referred to in their hands, and therefore if the hon. gentleman wished the Bill fully discussed before it went to the Railway Committee, the second reading would have to be adjourned.

Bill read a second time and referred to the Standing Committee on Railways and Telegraphs.

CRIMINAL LAW IN NOVA SCOTIA.

Hon. Mr. FOURNIER moved the second reading of the Bill to repeal certain provisions of an Act of the Legislature of Nova Scotia. He explained that these provisions were overlooked at the time the criminal law was re-enacted in this Parliament, and now the Nova Scotia Legislature had no power to repeal them. They gave power to a Justice of the Peace to try persons charged with larcenies not exceeding $100 and offences committed by juveniles except capital offences. The repeal of these provisions would leave the general criminal law to apply in these cases.

Bill read a second time, referred to the Committee of the Whole, reported without amendments, read a third time and passed.

FOREIGN ENLISTMENT ACT.

Hon. Mr. FOURNIER moved the second reading of the Bill to prevent enlistment in the service of any foreign State in certain cases not provided for by the Foreign Enlistment Act of 1870. He said he had nothing to add to the explanations he had made in introducing the Bill. It was simply to make the law the same all over the Dominion.

The motion was carried, and the House went into Committee of the Whole on the Bill, Mr. GOUDGE in the chair.

The Bill was agreed to clause by clause without amendment and reported.

The report was agreed to.

SUPPLY.

On motion of Hon. Mr. CARTWRIGHT the House then went into Committee of Supply.

Mr. SCATCHERD in the chair.

The item of $49,768, salaries and contingent expenses of the Senate, was passed.

On the item $106,540, salaries and contingencies of House of Commons.

Hon. Mr. CARTWRIGHT explained the $8,000 for the *Hansard*, which appeared for the first time, and $7,500 for expenses of Committees.

Hon. Mr. HOLTON desired to call the attention of the Committee to the claims of an old and valued officer of the House who died, he might almost say, in harness, and who left his family comparatively unprovided for, he referred to the late Mr. ALFRED TODD, so long Chief Clerk of the Private Bills' Committee. It was perfectly unnecessary to say a word as to his ability and assiduity as an officer of the House. He was an officer of this branch of the Legislature since 1841, before the union of the old Provinces of Canada, and retained the same position at Confederation. At the time of his death he had been in the service of the Legislature of his country for a period aprroximating 40 years, during the whole of which time he (Mr. HOLTON) believed, he was never known to have failed in his duty, but year by year had been improving in the manner of its performance. He had studied, thoroughly the whole subject of Parliamentary law; he was in all respects a valuable officer, and an exemplary man; and he (Mr. HOLTON) was grieved to say that having been taken away suddenly, he left his family badly provided for, owing to circumstance which, it was unnecessary to pain the Committee by repeating. It had been a very common practice since he (Mr. HOLTON) had been in Parliament to vote gratuities of moderate amounts to families of officers who had died under similar circumstances. What he desired to do was to elicit the sense of the House as to the propriety of pursuing a similar course in this case, in order that the Finance Minister might know whether he would feel justified in placing an item in the estimates for this purposes. He was sure all he had said with reference to Mr. TODD would be borne out by gentlemen on both sides of the House who knew the value of his services.

Hon. J. H. CAMERON had the greatest pleasure in endorsing all that had been said of Mr. TODD, and he hoped the

Finance Minister would see his way to placing a sum in the estimates for the purpose suggested.

Hon. Mr. CARTWRIGHT said the matter would be taken under consideration.

Mr. THOMPSON (Welland) also spoke of Mr. TODD'S valuable services, and urged the Government to grant the aid suggested.—The item was carried.

On the item, $35,860, for salaries and contingencies per Sergeant-at-Arms' estimate,

Hon. Mr. CARTWRIGHT said there was an increase of $2,290 over last year's vote. A large part of it was taken up in contingencies for payments to tradesmen and others. There were three additional messengers and one page required.

Hon. Mr. ANGLIN explained that the three messengers referred to had been employed for some three or four years past, though this was the first reference made to them in the estimates. There had been a slight increase in salaries according to law, but no special increase of any kind except for the employment of an additional page. The $1,000 for contingences was found to be necessary, and he thought it was fairer and better to take a sufficient amount than to ask for a sum which the experience of the past had shown would be insufficient.—The item was carried.

On the $7,000, grant to Parliamentary Library,

Right Hon. Sir JOHN MACDONALD asked when the Library Building would be completed.

Hon. Mr. MACKENZIE said every possible expedition had been used, but the amount of labor to be done was very great indeed. No doubt, though, it would be ready for occupation before next winter. It was now nearly completed so far as the masonry was concerned, and steps had been taken to provide fittings such as shelves and galleries.

Right Hon. Sir JOHN MACDONALD suggested that as soon as the building was finished, the library should be enlarged. Until the books were classified, which could not be done until the new building was ready, they could only keep up with the current literature of the day.—The item was carried.

On the item of $12,500 for printing, binding and distributing the laws,

Mr. YOUNG (Waterloo) asked what mode had been taken to distribute the statutes to the public who might wish to buy copies. He had frequently found persons looking for them, who were unable to get them. If the issue was short, steps could be taken to supply the demand.

Hon. Mr. MACKENZIE said he believed the course pursued was this:—Any bookseller might order copies from the printer, but unless they did give an order at the time the statutes were in type, it was impossible to furnish copies. All that the House provided for was the distribution of the Statutes.

Mr. YOUNG said that must lead to a very considerable amount of inconvenience, because, if the booksellers failed to give their orders in time, there might be a dearth in the supply. He thought the Government should print a small number extra, so that the public could get copies. Nobody would go into the publication of them as a private speculation.

Hon. Mr. MACKENZIE said they could not. The QUEEN'S PRINTER alone could print them.

Mr. YOUNG said that made it all the more necessary to have a larger number printed.

Hon. Mr. CARTWRIGHT said no representations had been made up to the present time to the Government that there was any scarcity in the number of copies. It was a very easy matter to publish a larger number if necessary.

Right Hon. Sir JOHN MACDONALD agreed with the hon. member for South Waterloo. Professional men occasionally had a good deal of difficulty in getting copies of the Statutes. Originally large numbers were published and distributed gratuitously. The English system was now pursued, which was to order enough for Parliament, leaving the publishers to supply the public. He suggested to the Printing Committee that the Statutes should be stereotyped so that extra copies could be struck off from time to time as they might be required. At present if the edition should be exhausted there was no means of getting more.

Mr. JONES (Halifax) said there was a great scarcity of copies of the Statutes in Halifax, and something should be done to supply the demand. Professional men were obliged to lend the copies they possessed to each other.

Mr. MILLS said if the QUEEN'S PRINTER could keep a number of copies on hand and the public were notified that they could be procured there at a certain price, it would meet the difficulty. The QUEEN'S PRINTER could make a report to the Government of the number sold.

Hon. Mr. CARTWRIGHT said he understood the printer was making such an announcement; still, there should be a reserve fund of the Statutes on hand.

Hon. Mr. MACKENZIE said there was always a reserve fund preserved and rooms had been fitted up in the basement of the library building for the storage of such books. But if it became known that the Government had ordered a large number to be printed for sale, pressure would be brought to bear on them to distribute them gratis. He believed the edition should be limited, but all publishers should be at liberty to order as many extra as they required. The suggestion to stereotype the statutes was an excellent idea. At present it was extremely difficult to get copies of certain statutes and journals that were necessary in the history of the country. That difficulty would increase, and he thought it was a good suggestion to have them stereotyped in future. He called the attention of the Printing Committee to the ugliness of our statutes and public journals when compared with those of other colonies. The printing and binding were entirely too shabby for public documents, and he thought a few thousand dollars could not be better expended than in making an improvement in this respect, especially in copies sent to foreign libraries. —The item was carried.

Items 37 to 39 inclusive were carried without discussion.

On the item $4,100 for salaries and contingent expenses of statistical office, Halifax,

Hon. Mr. TUPPER complained of the terms in which the First Minister had referred to the Statistical Department in Nova Scotia. It certainly compared favourably with that of Ontario, though not so comprehensive in its character. He also complained that during the recess of Parliament the Government had abused the powers given them under the Superannuation Act in superannuating a most faithful and efficient officer, and filling his place with a clerk in the office far inferior to him physically and intellectually, at the same time increasing the salary attached to the office. The result was that the Province was deprived of the services of a gentleman of marked ability who had discharged his duties in a most efficient manner and was able to discharge them now as well as ever, while they had increased the charges over and above the amount necessary for the work.

Hon. Mr. MACKENZIE said he was not aware of what the hon. gentleman complained of in his (Mr. MACKENZIE'S) remarks. He had said nothing about the efficiency or inefficiency of the department. His remark was that it was a partial and comparatively useless expenditure, and that the Government were only justified in retaining it by the hope that something better and more complete would be brought into operation. With regard to the superannuation of Mr. COSTLEY, he had been superanuated at his own request. His successor, Mr. MCMILLAN, so far as he (Mr. MACKENZIE) could learn from gentlemen in Nova Scotia, was well qualified for the position.

Hon. Mr. TUPPER said the Premier's statement was true and untrue. The fact was, after the change of Government, Mr. COSTLEY was treated with such gross insolence by one of his clerks, the party now appointed to succeed him, that in a moment of irritation he sent in his resignation, but he soon after recalled it.

Hon. Mr. MACKENZIE said this was also true and untrue. It was quite true that Mr. COSTLEY recalled his resignation, but in the interval parties were asking as to the fitness of the first clerk in the office for promotion to the position, and it was left in abeyance for a month or two, felt unwilling to act upon the resignation after Mr. COSTLEY had withdrawn it, and to promote the next officer. However, the transaction was a very legitimate and proper one, and he had no reason to doubt that the duties of the office were discharged quite as well now as ever they had been before.

Mr. JONES (Halifax) said Mr. COSTLEY was a friend of the member for Cumberland, but unfortunately for a time he was physically incapable of performing his duty. Rev. Mr. MCMILLAN, his assistant, was a Presbyterian clergyman who was unable through a throat affection to discharge the duties of a minister. So far from being unfit to attend to the business

of the office, he had managed it for Mr. COSTLEY while that gentleman was writing for the press, with which he was connected. At the change of Government Mr. COSTLEY not only sent in his resignation, but it was announced through the press that he did so in consequence of failing health. It was natural that Mr. MCMILLAN, who had been a long time in the office, and in charge of all the business connected with it while Mr. COSTLEY was attending to census affairs two years ago, should succeed him. He (Mr. JONES) had reason to believe, from his knowledge of Mr. MCMILLAN, that the business of the office would be well and efficiently managed. The hon. member for Cumberland would hardly have spoken in such terms of Mr. MCMILLAN if he had known that gentleman as he (Mr. JONES) did.

Hon. Mr. TUPPER said he made his statement on the authority of Mr. COSTLEY, who was a gentleman bearing the very highest character. Mr. COSTLEY's connection with the press terminated years ago, and though he at one time had an attack of sickness he recovered from it, and was at the time he was superannuated in good health and well qualified to discharge the duties of the office.

Hon. Mr. TUPPER said it was the encouragement given to Mr. MCMILLAN which induced Mr. COSTLEY to resign.

Mr. JONES said that any intercourse he had with either Mr. MCMILLAN or Mr. COSTLEY was in the ordinary way. He was not aware that Mr. MCMILLAN ever treated Mr. COSTLEY with disrespect, and he also happened to know that that point had nothing to do with Mr. COSTLEY's resignation.

Hon. Mr. TUPPER said that if the hon. member would state to the House that he did not have communication with Mr. MCMILLAN, and did not lead him to suppose that by Mr. COSTLEY's resignation his interest would be promoted, he (Mr. TUPPER) would cheerfully withdraw all he had said.

Mr. JONES said he did not feel bound to make the member for Cumberland his father confessor, but he would make this statement. Mr. MCMILLAN was an officer in that Department for a long time, and enjoyed a very small salary while discharging the whole duties of the office. During the election canvass of 1872, Mr. MCMILLAN was called on by two gentlemen, one of whom was intimately connected with the family of the hon. member for Cumberland, and he was asked if he would vote for Dr. ALMON and Mr. TOBIN. Mr. MCMILLAN said he would not, stating that he took no part in politics. He was asked his name, which was given; then he was told that if he did not vote for those candidates, his name would be forwarded to Ottawa, and he would never receive an increase in salary so long as the hon. gentlemen opposite remained in power.

Hon. Mr. TUPPER said he was not answerable for statements which may have been made by other persons; but whatever statements were made to Mr. MCMILLAN, he continued, to discharge the duties of his position, and received the same emoluments after such alleged interview.

Mr. POWER said he understood Mr. COSTLEY resigned on account of change of Government.—The item passed.

Items 42, 43 and 44, under the same head, were passed.

On item 45, of $40,000, to meet the probable expenditure required in connection with the Philadelphia Exhibition,

Mr. WOOD asked for explanation.

Sir JOHN MACDONALD thought the Committee and the country would like to learn what was the programme in respect to the expenditure of money, and other particulars.

Hon, Mr. MACKENZIE said the Philadelphia Exhibition would open in 1876. The United States Government invited all other Governments to send the productions of their nations. The British Government accepted the invitation, and requested a certain space to be allotted them; and when the Canadian Government received that intimation, they thought it proper to apply for a certain space. The negotiations concerning the representation of Canada at that exhibition were still incomplete. Several Commissioners had been named who gave their services in order to organize a plan whereby Canadian manufactured goods could be forwarded very much in the the same way as those were forwarded to England for the Exhibition of 1851 and also to the Paris Exhibition. The freight upon those goods was paid at the time, and some means would be adopted by this commisssion, either by having a Provincial Exhibition in the first place or by making

some arrangements with the exhibitors at the Provincial Exhibition to have certain goods reserved which would be forwarded to Philadelphia. The amount placed in the estimates was only problematical. No reliable estimate had been formed of the necessary expenditure ; it might be much less or it might exceed the sum put down in the estimates. That sum was merely asked as a necessary preliminary to undertaking any exhibition of Canadian goods, and the Government considered that it was in the public interest that Canadian manufactured goods should be placed on exhibition at Philadelphia, and that as great a variety of objects as possible should be sent to show what our people could do in the way of manufactures. Some distinguished gentlemen had been asked to give their services as Commissioners, and they had been in the city occasionally and had held several meetings in order to organize a plan whereby this desirable object might be effectually accomplished.

Mr. DECOSMOS asked whether it was intended that specimens of the natural resources of the different Provinces should be forwarded to the exhibition.

Hon. Mr. MACKENZIE said that although no plan was yet prepared, that would inevitably form part of it.

Hon. Mr. TUPPER understood the Hon. Premier to have said that it was not intended to appoint paid commissioners. No doubt the services of gentlemen as commissioners could be obtained gratuitously, who would devote a certain amount of time to the subject; but he did not believe that Canada would make that display which it was able to make, unless some gentleman should be charged with the responsibility of acting as commissioner and be adequately remunerated for his services.

Hon. Mr. MACKENZIE said there must of course be a secretary and some other paid officers, who should act under the commissioners, but he did not think it was desirable that they should obtain the services of distinguished gentlemen in the country and pay them salaries for acting as commissioners. Their officers would of course be paid. He did not approve at the time of the action of the late Government in sending nine leading mechanics to the Vienna Exhibition, and paying them as commissioners. He then thought it would prove a failure, and certainly no benefit had been derived from their appointment ; but by adopting another plan, and by simply appointing some official who would have charge of the department on behalf of the country, and by having the general plan carried out under the direction of commissioners, appointed in the way he had indicated, we would accomplish the object desired, at comparatively small expense. The arrangements were, however, in an unfinished condition, and he was therefore not able to say what the Government might find it necessary to do, but the Government did intend to make a creditable exhibition of Canadian goods at Philadelphia. — The item passed.

Vote 46 under the head of Immigration and Quarantine passed.

On item 47 under this head, being $100,000 for Menonite loan, $70,000 for transporting Menonites and $190,000 toward assisting immigration and meeting immigration expenses,

Sir JOHN MACDONALD asked for explanations in regard to the Menonite loan.

Hon. Mr. CARTWRIGHT said that the use of the money would be allowed during two or three years without interest, and after that it would be repaid by installments running over ten years. The Menonites resident in Waterloo county were for the most part a wealthy class, and bore the highest reputation for strict honesty and integrity in meeting their pecuniary engagements. The Government had, therefore, determined to take a bond from a number of Menonites living in Waterloo county and North York, for the repayment of the loan of $100,000, and he believed the sum would be repaid to the last farthing. Menonites of far less means in the North-West had repaid most creditably money advanced to them. Payment of debt was a doctrine in the Menonite faith, and a very excellent doctrine it appeared to be.

Mr. MASSON said he had seen the Menonites in the North-West and knew them to be an orderly and quiet people, who brought a certain amount of wealth to the country. But he desired to ask the Government if they had considered whether it would not have been for the benefit of this county to have extended the advantages which were given to the Menonites, to bodies of French Canadians

or Canadians who had emigrated to the United States, and who were endeavouring to find means to enable them to return to their native land, and some of them were desirous of settling in Manitoba. When in Manitoba he had seen French Canadians come there and look round to see whether they could not have a township or two townships in which to settle. Efforts were made among French Canadians who had settled in the United States to transplant themselves in colonies to Manitoba; societies had been formed among themselves for that purpose, some of which had gone so far as to offer bonuses to persons who would be foremost in going into that country and founding a colony. He asked the Government whether it would not be just as advantageous to have French Canadians now settled in the United States as immigrants to Manitoba as Menonites, and whether it would not be advisable to extend to those people who might desire to emigrate in bodies and establish colonies the same advantages offered to the Menonites.

Hon. Mr. MACKENZIE said he could quite understand the desire expressed by the hon. member for Terrebonne, and it was a creditable one, to get back all our people who have gone from Canada to the United States, but he would see that very serious difficulties stood in the way of his proposals being carried out. The Government had considered carefully, and were still considering whether anything could be done in that direction. It was evident, however, that if we aided French Canadians settled in the New England states —for it was there that the French Canadians chiefly were—to go to Manitoba, and did not similarly aid those in the Province of Quebec or other Provinces, it would be easy for them to step over the line, and obtain the aid which they received because they were resident in the States. The chief object that had hitherto been kept in view by the Government in respect to immigration was to make the different countries of Europe the great field from which to draw our immigrants. If the Government once adopted the system indicated by the hon. member for Terrebonne it would lead to serious difficulty, because there could be no good reason why we should aid people on one side of what was practically an imaginary line separating our territory from a foreign country, and not aid those who were on the other side. The Government were, however, still considering this matter, and had taken some steps to ascertain as nearly as may be through semi-official agents at Boston and other places the number of Canadians that might reasonably be expected to take advantage of any offer in that direction.

Mr. MASSON thought his remarks must have been misunderstood. French Canadians would not go from the Eastern states of the Republic to Manitoba in order to come back to Canada.

Hon. Mr. MACKENZIE said that it would be easy for residents in Quebec, who desired to go to Manitoba to step over the line into the New England States, and there they would become eligible to receive assistance.

Mr. MASSON asked if he was correctly informed that there were bodies of French-Canadians in the United States who had applied to the Government to assist them in obtaining one or two townships in Manitoba in which to settle. He wished to know what steps had been taken by the Government in regard thereto.

Hon. Mr. MACKENZIE said he only knew of two cases. One was a party of Canadians which undertook to settle a township near St. Vincent, on the East side of the Red River, on certain conditions, and he understood these conditions had not been fulfilled. Only a very partial settlement had been made, and the colony would not accomplish what it had engaged to do. There is another colony, led by Mr. RALSTON, which was also a comparative failure, and the conditions will not be carried out by the body emigrating. He was not aware at present of any other society or body of settlers there, but he would make enquiries and inform the hon. gentleman on another day. He had himself recently seen a Nova Scotia gentleman who published a very able paper called the *American Canadian* in Boston, and had obtained a large amount of information from that gentleman in regard to Nova Scotians, New Brunswickers, and French Canadians resident in Boston. Everything that could fairly be done by the Government to secure the return of Canadians would be done,

Mr. TROW said that, having visited Manitoba, he could bear testimony to the

industrious habits of the Menonites. He was satisfied that Mr. RALSTON'S colony was a failure, because instead of there being two hundred and fifty or three hundred persons as was represented, there were only seven families when he saw that gentleman. The other colony referred to by the hon. Premier was also a failure. The Menonite colony was, however, a stern reality. It comprised thirteen hundred people, who had arrived there last summer, and who possessed considerable means. It was the nucleus of a very large settlement, and they were a class of people who were satisfied with the country. Many immigrants complained of the scarcity of wood and water, but though five of the eight Menonite townships were without timber, yet they were satisfied and industrious and determined to encourage their friends in Southern Russia to meet them there next season.

Mr. MASSON desired to suggest to the hon. Premier a method of surmounting the difficulty raised as to granting aid to French Canadians at present settled in the United States who desired to emigrate to Manitoba. The French Canadian population in the United States was largely in groups, and no difficulty would be experienced by the Department in making arrangements, so that no person who had not resided in the United States a certain number of years would come within the arrangement.

Hon. Mr. POPE said that with respect to the question of aiding Canadians or British subjects who had settled in the United States he had endeavored to ascertain how many were desirous of returning to Canada. When in charge of the Immigration Department he had offered all fair and proper inducement to those people to return to Canada, but up to this time not many had returned. He fully concurred in the proposed loan of $100,000 to the Menonites, because he was perfectly satisfied that the money would be returned, and the immigrants were of as good a class as could be obtained.—The item passed.

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AFTER RECESS.

The House went again into Committee of Supply.

On the consideration of item $100,000, Menonite Loan,

Hon. Mr. CARTWRIGHT assured the House that the country would see that the money was not for any other purpose than that for which it was voted. His hon. friend from North Waterloo and North York would be able to inform the House as to the standing of the persons who had become responsible for the amount. He understood that the Menonites objected to giving a mortgage upon their farms.

Mr. BOWMAN said these people had no objection to giving mortgages to the persons who proposed to make themselves liable for the repayment of this loan. They were worth from $5,000 to $75,000 each, and he learned from the leading gentleman amongst them that it was their intention that no one should make himself liable for over one-tenth of the value of his property, so that if it became necessary for them to pay it out of their pockets they could do so. Gentlemen on the other side of the House appear to examine this matter in a very critical spirit, but the men who made themselves responsible for the payment of this loan, he was glad to be able to assure them, were thoroughly reliable. It was a part of their creed that every man ought to pay his dues and the obligations he undertook. He was perfectly satisfied that these men would carry out their obligations to the letter and the Government would be quite safe in leaving the superintendence of the Loan to themselves.

Mr. CHARLTON said if the Government succeeded in securing four or five thousand of these emigrants on a well recognized principle of political economy as applying to this new country that would increase the capital of the country by four or five million dollars, and would thus have in the emigrants themselves a repayment of the loan. He would be glad to see the Government go a little further, and expend small sums upon opening up railways in the back countries, as well as assisting emigrants of other classes in the same way as they proposed to assist the Menonites. He looked upon the policy as a wise one.

Mr. DYMOND said he thought the simple fact that the gentlemen who became responsible for the repayment of this loan were Menonites should be sufficient to satisfy every one. Their simple promise was as binding upon them as would be their mortgage or an oath. In addi-

tion to the guarantee given by their co-religionists in Waterloo and York, these people were bound together in Manitoba by peculiar religious ties, and we had not simply the pledge of individuals, but what amounted to the pledge of the whole community, that they would be responsible for the loan ; indeed there was no doubt they would be sucessful in their enterprise. With regard to extending this system of loans as had been contended for by his hon. friend from North Norfolk, he was afraid that were it to apply generally there would be no end to this system of investment, although the Menonites might repay their debts better than the majority of persons. After all, the Menonite was of no more value as an emigrant than any other man, and he would respectfully protest against the idea of an unlimited system of loans. So long as his hon. friend, the First Minister, was at the head of affairs he was not afraid of the results, but a time might come when the affairs of the nation would unfortunately pass into other hands, and the fact that the Government had small creditors all over the Dominion would not be very satisfactory. It would afford the means of undermining the virtue of the deople and might probably offer very serious temptations to the virtue of the Government.—The item was then passed.

Items 48 and 49,—$1,352 and $5,826 respectively, for pensions, were passed without discussion.

On item 50,—$50,000 to meet the probable amount required for pensions to veterans of the war of 1812,

Mr. KIRKPATRICK asked for some explanations. He desired to know whether those who had served for a shorter period, were to be placed upon the same footing as those who had served for a long period, and whether all regiments would get a grant, or whether those known as the Glengarry regiment, which, he believed, had been pensioned by the Chelsea Hospital authorities, were also to have a share. He also desired to know whether the widows of the veterans of 1812 would receive any consideration.

Hon. Mr. CARTWRIGHT said he feared they could give nothing to the widows. The intention of the Government was to give to all men in actual service, numbering, he believed, probably about five or six hundred—of course they could not tell the exact number, as some applications had come in which would doubtless not be fortified by the records. Those receiving aid must be at least seventy-six or seventy-eight years of age, because the great number of those who took any part in that war must now be about or over 80. The pensions would be as nearly as possible approaching in amount to those given to the pensioners of the regular army at home.

Mr. BROUSE said the Government were to be congratulated upon the amount of money already in these estimates, and it was upon this one. When this question was brought before the House it was in consideration of the royal warrant issued from Chelsea Hospital to the effect that it was understood that certain soldiers of HER MAJESTY'S army who had taken part in the wars of 1815 were in indigent circumstances, and that it was proposed to give them pensions. He regretted that the British Government had ignored an application of the Canadian veterans. The first case in respect to which an application was sent to England was favorably considered and the pension was granted, and three or four others had been granted. Since then they had refused a general application. The sum proposed to be voted would, to a certain extent, meet the wants of very many of these veterans, and when it was known that we had 500 or 600 men upon this portion of the continent who had approached the old age of 70 it would, perhaps, tend to dispel the illusion of certain journals which refer to the climate of Canada as one scarcely fit to live in. About 100 of these old veterans live along the side of the St. Lawrence, and were prepared to do service for their country again, notwithstanding the remarks of the hon. member for South Ontario. He congratulated the Government on having asked for this vote.

Hon. Mr. POPE also added his congratulations, but thought the Government had stopped a little short. He did not see why the widows of these veterans should not also have some share of this money. It was an injustice which he hoped the Government would consider.

Hon. Mr. VAIL said he was afraid it would be impossible to carry out the suggestion of his hon. friend. If they assisted the widows, the question would arise whether they should not also assis.

the fatherless children. It would be difficult to discriminate in regard to the time of service, but he thought they would have to adopt the policy of giving those who came in at the the eleventh hour the same as those who were engaged for the whole time.

In reply to Mr. FLESHER,

Hon. Mr. MACKENZIE said it was intended that the vote should be taken yearly.—Item passed.

On item 51—$8,000, compensation to pensioners in lieu of land,

Mr. HAGAR asked explanations. He said there were pensioners in his county who had been promised a grant of $100, but it had never been given to them. He desired to know what the policy of the Government was in respect to them.

Hon. Mr. CARTWRIGHT said the Government could not investigate any claims against the Imperial Government, excepting those which had already been recognized.

Mr. KIRKPATRICK called attention to the item of $2,133 asked as a pension to the Hon. L. A. WILMOT of New Brunswick. He believed that Mr. WILMOT had resigned his position, and now, after five years it was proposed that he should be put on the pension list. He thought there should be a special Act to cover this case.

Hon. Mr. MACKENZIE said he thought the case was covered by the Act of last session, but promised full explanations at a future stage.—Item passed.

Items 52, 53 and 54, under the head of Militia, were adopted.

On item 54, Military College, including two Ordinary Schools under District Staff, $40,000,

Mr. MASSON asked how far the School was in progress, and suggested whether it would not be advisable to employ officers belonging to the country instead of importing them from abroad.

Hon. Mr. MACKENZIE said it was necessary to obtain an officer of high military rank. An offer had been made to an officer of that kind, selected by the Commander in Chief, at the instance of the Colonial Secretary, but he had declined it. Negotiations were afterwards entered into, but they had not yet succeeded in getting the proper person. It was not the intention of the Government to make any subordinate appointments until the commandant was appointed, whose advice would be taken. They had already the names of several distinguished military men in various parts of the Dominion, who probably would receive appointments. —Item passed. Also, the next item, ammunition, $40,000.

On the item, clothing, $75,000,

Hon. Mr. CARTWRIGHT said the increase this year of $50,000 over last year arose from the fact that last year the vote was very much cut down. There had been a good many complaints of the need of more clothing for the men.—Item passed.

Hon. Mr. CARTWRIGHT explained with reference to the next item, Military Stores, $60,000, that it was found necessary to make the increase of $35,000, thus bringing the item up to its former standard, because it had been found that the reduction last year was too great.

Mr. HAGGART asked if the clothing was manufactured in Canada cheaper than it could be obtained in England.

Hon. Mr. VAIL said he was not in a position to state, but even if it cost a little more it would be better to have it manufactured here.

Mr. WOOD highly approved of the course pursued by the Government in encouraging home industry in this matter.

Mr. MASSON also approved of it, but he thought the Government should have ascertained in the first place what was the difference in the price between cloth manufactured here, and imported.

Hon. Mr. MACKENZIE said they had done so before the present Minister of Militia joined the Cabinet. The cloth here was a little dearer than it could have been procured in England, but it was better, and would wear longer, and the Government therefore considered it was practically as cheap.—Item passed.

On next item, No. 59, Public Armouries and Care of Arms, $52,000,

Mr. KIRKPATRICK asked if the Government proposed any change in the system of keeping arms. He was very much afraid that a considerable number of the valuable arms distributed some two years ago were not now in so good a state as they might be.

Hon. Mr. VAIL said that matter had engaged the attention of the department. The Major General had reported in favour of an additional sum being given to certain care-takers who had charge of the arms.

He quite agreed with his hon. friend that sufficient care had not been taken of the arms, and he hoped better care would be taken of them in future.—Item passed.

On item 60, Drill Pay, &c., $375,000,

Mr. FLESHER asked what was the intention of the Government with reference to drill this year.

Hon. Mr. VAIL said they had not yet decided whether they would have camp drill or merely drill at the headquarters of each regiment. He himself questioned whether it was wise to have camp training every year.

Mr. DYMOND suggested that if the militia were called out for camp drill, some time of year be fixed that would be most convenient, and at the same time most comfortable for the men. In one instance they were called out in October, although they might just as well have been called out in June, which was a much superior season. If the system of camp drill was to be continued, he would suggest the propriety of having it only every other year, and then instead of twelve days let sixteen or eighteen days be taken. At present the time was too short for the men to become familiar with their duties.—Item passed, as was also item 61 contingencies $63,000. On item 62, Targets (revote) $19,500,

Mr. FLESHER called attention to the necessity of nine targets for the rural districts. He commanded a company for several years, and they had never been supplied with a target.—Item passed, also item 63.

On item 64, care and maintenance of properties transferred from the Ordnance and Imperial Government, $10,000.

Hon. Mr. CARTWRIGHT said some Imperial officers had made complaints which appeared to be justifiable of the condition of some of these properties, and it was necessary that proper care should be taken of them. Of course, no more would be spent for this purpose than was absolutely necessary. Item passed.

On item 65, for Improved Fire-Arms (Snider Rifles and "Henry Martini" Rifles,) $40,000,

Mr. KIRKPATRICK asked whether these "Henry Martini" Rifles were to be kept in store or distributed to favored corps.

Hon. Mr. VAIL said it was proposed to purchase them at all events for the militia of the coming year. The Imperial Government had a quantity on hand which they offered to dispose of.

Mr. LANDERKIN asked if these arms were to be used by Rifle Associations as well as Volunteer Companies.

Hon. Mr. VAIL—That question has not yet been considered.—Item passed, also items 66 and 67.

On item 68, Pay and Maintenance of Dominion Force in Manitoba, $125,000,

Hon. Mr. CARTWRIGHT said they had been able to reduce this item by $50,000, chiefly in consequence of the Mounted Police Force, and it was not impossible that owing to the success of that latter force they might be able to make still further reductions.

Mr. MASSON called attention to the fact that the report of the Minister of Militia was not yet before the House, and therefore they could not judge of the state of the Manitoba force. However, he was in that Province last fall, and he was somewhat startled on being reliably informed up there that that force had not performed any target practice since they went up, and had not even fired a blank cartridge. He would take this opportunity of saying that while the Mounted Police might do good service, he thought their services so far had been greatly exaggerated. He suggested the propriety of introducing something of the military system into that force, making it something like the *gens d'armes* of France, and then of doing away with the militia force entirely.

Hon. Mr. VAIL said his report had been in the printer's hands some days, and he hoped to lay it on the table of the House in a few days. The information which the hon. gentleman had given to the House was new to him; but if what he had stated was correct, he (Mr. VAIL) might congratulate the House and the country on the fact that it was not necessary for the force in Manitoba to fire even a blank cartridge. That force had been reduced by some 50 men, leaving about 200 there still.

Mr. HAGGART asked why one of the officers who had distinguished himself in the first expedition, and had been asked to command the troops in the second, had been discharged when the reduction was made.

Hon. Mr. VAIL said the reduction was made on the recommendation of the Commanding Officer, having regard to the length of service.

Mr. MASSON said the fact that it had not been necessary to fire even a blank cartridge proved the peaceful character of the people, but it did not say much for the Administration of the Militia which thus neglected the training of the force.

Mr. TROW thought the member for Terrebonne must be mistaken with regard to the Manitoba force. He was in that Province some five weeks, and had had opportunities of seeing the force drill. He believed they were under the strictest discipline, and a more efficient officer than Col. SMITH could not be found. He approved of the reduction in the force, and did not see any necessity for any force there at all.

Mr. BUNSTER said this large expenditure for the Manitoba force was another evidence of the necessity of the Pacific Railway, as it would facilitate communication with that Province.—Item passed.

Under the head of Ocean and River Service, items 110 and 111 were passed without discussion.

On the item $12,000 for Steam Communication, Lake Superior,

Mr. WRIGHT (Pontiac) asked whether any arrangement had been made by the Government to construct a canal on the Canadian shore to connect Lakes Huron and Superior.

Hon. Mr. CARTWRIGHT replied that nothing had been done except that surveys had been made.—The item passed.

Item 113 passed without discussion.

On item $12,500, Steam Communication on Lake Huron,

Hon. Mr. MACKENZIE, in reply to Mr. PLUMB, said there were two lines subsidized, one running from Collingwood and the other from Sarnia.

Mr. LANDERKIN complained that the steamers of the Collingwood line did not call at Owen Sound last summer on the way back.

Hon. D. A. MACDONALD said the reason was that Owen Sound was so out of the way that the steamers could not call there without lying over at Collingwood till Monday.

Mr. PLUMB said he had noticed that the mouth of French River was spoken of as an objective point in connection with the Pacific Railroad. He wished to know if this subsidy included an appropriation for a prospective mail service to that point.

Hon. D. A. MACDONALD said a small vessel would be employed to run to the mouth of French River, to carry mails and supplies in connection with the railroad survey.

Mr. LANDERKIN said in regard to the steamers not calling at Owen Sound on their return, that if any delay were caused by their touching at that town, the mails could be forwarded by the Toronto, Grey & Bruce Railroad, so that no time need be lost.—The item passed.

Item 115 passed without discussion.

On the item $54,000 for Steam Service between San Francisco and Victoria,

Mr. BUNSTER suggested that a larger and faster steamer than the one at present used should be employed, and that it should call at Nanaimo.

Hon. D. A. MACDONALD said he had ordered tenders to be published calling for a steamship of no less than 1,000 tons, in order to ascertain whether the service could, at a reasonable rate, be made weekly, instead of semi-monthly. If it was to the advantage of the country that the steamers should go to Nanaimo, they could surely go there without instructions from the Government.

Mr. BUNSTER said the contract required the boat to stay two days at Victoria, and there was no time to call at Nanaimo. The trip to San Francisco, which now occupied four days, should be made in two.

Mr. THOMPSON (Cariboo) said there was now a project afoot to organize a steamship company to carry these mails. There was no question, faster boats should be employed, though the company carrying the mails had done their duty.—The item passed.

Mr. BROUSE expressed regret that the Government had discontinued the tug service on the St. Lawrence, between Kingston and Montreal. It would give dissatisfaction to a large number of vessel owners on the St. Lawrence, and he trusted the Government would see the necessity of continuing the service, which had been of great advantage to those residing along the river.

Hon. Mr. MACKENZIE said this was a part of the Liberal policy. There was no reason why the Government should aid

individual enterprise, There was just as much reason in subsidizing a tug line between Montreal and Quebec, or between Detroit and Sarnia, as a line between Kingston and Montreal. The principle was an unsound one, and the less the Government attempted to bolster up anything of this kind, and the more they left it to free competition, the surer was the commercial prosperity of the country to be advanced. He believed, and all Englishmen believed, in individual effort; and all attempts to regulate the prices of articles by Government advancing money was a great mistake. They had no more right to maintain this line than to grant a subsidy to bakers to regulate the price of bread, or to cotton mills to regulate the price of cotton fabrics. He had an interview last summer with a large number of forwarders in Kingston on this subject, and gave notice that the tug service would be discontinued on the 1st of August. They entirely agreed with him, but believed it should be continued for the season, leaving it open to competition in future. The hon. member for South Grenville was entirely mistaken if he thought the forwarding trade wanted the service continued.

Mr. YOUNG complimented the Government on having pursued the policy they advocated when in opposition.—Item 117 passed.

On the item $5,500 to provide for the examination of masters and mates,

Mr. PLUMB wished to know why there was a reduction in this item. He hoped the Government did not intend to impair the efficiency of this service.

Hon. Mr. SMITH said the efficiency of the service would be maintained. The examinations would be continued as before, but by a new arrangement a saving of $1,500 was effected.—The item passed.

On the item $4,000 for the purchase of Life-Boats, Life-Preservers and Rewards for Saving Life.

Mr. PLUMB asked why there was a reduction of $2,000 in this item.

Hon. Mr. SMITH said he found a very general desire that life boats should be provided at more places than hitherto, and the supplementary estimates would contain a larger appropriation for this service.

Mr. FARROW asked if it was the intention of the Government to place life-boats on the coast of Lake Huron. It was a very dangerous coast, and many valuable lives had been lost on it. He heartily coincided with the views of the hon. Minister of Marine and Fisheries that the appropriation should be increased.

Hon. Mr. SMITH said it was the intention of the Government to provide life-boats at all places on our coasts where they thought they would be of service in saving life.—The item passed.

Item 120—$2,500, to provide for investigation into wrecks and casualities and collection of information relating to disasters to shipping, was passed without discussion.

On item 121—$6,000, expenses in connection with Canadian Register and classification of shipping,

Mr. KILLAM inquired what the policy of the Government was on this subject.

Hon. Mr. SMITH said he was not prepared to say exactly what the policy of the Government was, but his own policy was in favour of the classification. There had been some feeling on on the subject for a time, which prevented the Government taking any steps to put the law into operation. He thought, however, that bye and bye the feeling would be in favor of it, and he was also of opinion that more than likely the Government would bye and bye put the Act into operation.

Mr. KILLAM said he agreed with his hon. friend on this question.

Items, 122, $1,600 for Secretaries of Pilot Commissioners at Halifax, and St. John; 123, $1,000 for coasting packet service, Prince Edward Island; 124, $14,090, Montreal Water Police; 125, $28,200, River Police, Quebec, were passed without discussion.

On item 126, $142,024, salaries and allowances of light-house keepers,

Mr. HORTON complained of the reduction of the amount for the light-house at Goderich, and thought it was unfair that the light-house keeper at Chantry Island should be paid $400 a year while the officer at Goderich, which was a larger and more important station, was paid only $300.—Item passed.

Item 127, $270,643, maintenance and repairs was passed without discussion.

On item 128, $120,000, construction of new light-houses,

Mr. HAGGART asked if there was ever going to be an end to this expenditure. Surely by this time there were light-houses enough all round the coast of Nova Scotia and New Brunswick.

Mr. SMITH said that the expenditure would come to an end some time, but it would be at some distance in the future. if his hon. friend only saw the applications in the Department of Marine and Fisheries for light-houses he would be surprised. If they were all constructed, they would cost three times the amount in his appropriation.

Mr. WRIGHT (Pontiac) desired to know what had been done regarding the applications made for light-houses at the Chats Rapids.

Mr. SMITH said he would be glad to see his hon. friend in regard to where he would like the light-houses in question to be placed.

Mr. BUNSTER commended the liberal policy of the Government, and said that British Columbia wanted several light-houses, but were very delicate about the subject in consideration of the Government building the railway.—Item passed.

On item 129, salaries and disbursements, of fishery overseers and wardens, $45,400.

Mr. BERTRAM complained that the Fishery Officers in Ontario were inadequately remunerated. He knew of one place where the officer was paid only $100, and it would not be surprising if, under such circumstances, the duties were poorly performed.

Mr. WRIGHT (Pontiac) said there was no fishery officer in his locality but he agreed that the salaries generally paid were too small.

Mr. YOUNG did not know how it was over the country generally, but in his section he thought the fishery officers got more than they were worth. Their duties were miserably performed, and it was with the greatest difficulty that they could be got to move at all, even after people called their attention to irregularities.

Mr. PATERSON was willing to admit that there were grounds of complaint, but they should be made against the proper quarter. The blame rested not so much with the officers as with the Government, who refused to strengthen their hands in the discharge of their duties.

Mr. PLUMB enquired where the fish were to be found in the district of the hon. member for South Waterloo.

Mr. YOUNG said there was some valuable fish in the Grand River. He repeated his complaint that the fishery regulations were poorly enforced. He did not desire to make complaint against any particular officer, but he merely stated, in general terms, that so far as his experience went they were sufficiently, and indeed more than sufficiently paid for their services.

Mr. OLIVER said the subject had been brought before the Government several times and irregularities pointed out, but so far they had failed to put a stop to them. As a matter of fact, so far as the river Thames was concerned, the law had been enforced with sufficient rigour above the city of London, but between that point and the lake, people were allowed to use the river with the same freedom as if no restrictions were imposed. He took this opportunity of pressing upon the Minister of Marine and Fisheries the desirability of having the law carried out on that portion of the river as vigorously as above the city of London. He also complained that on the Grand River, branches of which ran through his county, people were deprived of the pleasure and profit of fishing in order to conciliate a few.

Hon. Mr. SMITH inquired whether the complaint was that that river was obstructed by saw-dust or what was the complaint.

Mr. OLIVER said there were complaints that fishing with nets, which was prohibited by law, was permitted. He was assured that the fishery officers of the Thames had not been below London upon the river for several years.

Mr. WRIGHT (Pontiac) asked whether it was the intention of the Government to apply any portion of this vote for the protection of fish in Gatineau and Ottawa rivers. Raids were made into Canada by pot-hunters from the United States, against whom there was little or no protection.

Hon. Mr. SMITH said the amount appropriated for Ontario was only for the payment of the officers he had seen, whose names his hon. friend would find in the Public Accounts. If his hon. friend would inform him of any place where a warden

or guardian would be of advantage he would be very glad to appoint one. He might add that he was largely in the hands of the representatives from the different parts of the Dominion as to where the officers were required, and when representations were made and he was satisfied the money would be well spent, he would not fail to make an appointment. He admitted that there was some ground for the complaint that the salaries were too small. So far as the remarks of his hon. friend from South Oxford were concerned, he had only to say that he was surprised that the hon. gentleman had not laid the information before the Department before this time.

Mr. ROCHESTER expressed his pleasure that there was a probability of an officer being appointed for the Ottawa and Gatineau.

Mr. PATERSON said it was necessary there should be a fish warden on Grand River. That officer could only proceed a certain length in his action unless he received the direct sanction of the Government. His hands must be strengthened, and when he reported that mill-owners would not put down fish-ways, and cease fouling streams by emptying saw-dust therein, he should be supported, and then there would be no cause of complaint.

Mr. PLUMB insisted that the fish in the rivers running into Lake Erie were not worth protecting.

Hon. Mr. SMITH said he would consider the matter.

The item passed.

In regard to the maintenance of a Government schooner employed in protecting the Gulf fisheries, for which no vote is asked this year,

Mr. CIMON asked what vessel was intended to replace *La Canadienne*.

Hon. Mr. SMITH said he had very considerable doubt as to whether it was desirable to repair the vessel so as to fit it for that service, and it would probably be used as a light ship. It was in the contemplation of the Government to provide a steamer to protect the Gulf fisheries, and a vessel would shortly be purchased.

Items 132 to 136 inclusive, under the head of geological survey and observatories, were passed without discussion.

Hon. Mr. SMITH in reply to Mr. FORBES, said that the omission of a vote for Halifax Observatory was due to the fact that other arrangements had been made.

On item $37,000 for grant for meterological observatories including instruments and cost of telegraphing weather warnings,

Hon. Mr. SMITH in reply to Mr. OLIVER, said that no change was proposed in the distribution of that appropriation.

On item $5,000 additional for geological survey,

Mr. BUNSTER said that British Columbia had been neglected on this important service, for one officer was not adequate to perform the duties over such a vast extent of country. Instead of one there should be three or four.

Hon. Mr. LAIRD said British Columbia had received its due share of attention and one of the most efficient officers had been assigned to it. The item, however, was mainly intended to increase the salaries of some of the employees who were underpaid.

The item passed.

Items 139 and 140 for Marine Hospitals passed without discussion.

On item $500 for St. Catherines Hospital,

Mr. NORRIS hoped the Government would increase the grant in the supplementary estimates.

Hon. Mr. SMITH promised to consider the matter. He thought it would be expedient if a tax were imposed on vessels in the inland waters of the Dominion for the maintenance of sick and distressed seamen as was done on the seaboard. If that proposal meet the approbation of the House and the views of hon. members representing the shipping interests, he would have no objection to introduce a measure having that object during the present session.—The item passed.

Mr. ROCHESTER suggested that the lumbermen engaged on the river Ottawa be included in the provisions of the promised bill.

Item passed as were also items 143 to 146 inclusive. On item 147, to re-imburse Board of Trade, London, for expenses incurred in connection with shipwrecked and distressed seamen of the Dominion, $6,000, in answer to Mr. YOUNG,

Hon. Mr. SMITH said the Board of Trade at London, took care of shipwrecked and distressed seamen of the Dominion

landing in England, and sent them to their homes, and by arrangement they were to be reimbursed for their outlay in this matter.

Mr. LANDERKIN called attention to the need of some asylum for idiots. In Ontario there were 3,000 of this unfortunate class and there was only asylum accommodation for about 30.

Hon. Mr. MACKENZIE—That is a matter that belongs wholly to the Local Legislatures. I quite admit the importance of the subject, but it is wholly beyond our jurisdiction.—Item passed.

On item 148, steamboat inspection, $14,200,

Hon. Mr. SMITH said the Government did not wish to make any money out of this inspection, and therefore they only imposed such fees as were necessary to meet the expenses of inspection. They had recently been able to reduce the fees from ten cents to seven cents. — Item passed.

The Committee then rose, reported progress, and asked leave to sit again.

The House adjourned at 10.20.

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HOUSE OF COMMONS.

Monday, February 22nd, 1875.

The SPEAKER took the chair at three o'clock.

Mr. SPEAKER laid on the table a list of stockholders in the Union Bank of Lower Canada, the Ontario Bank, and the Bank of St. Jean.

BILLS INTRODUCED.

Hon. J. H. CAMERON—To consolidate and amend the acts relating to the Provincial Insurance Company of Canada.

Mr. WRIGHT (Ottawa)—To confirm the articles of agreement and consolidation between the European and North American Railroad Company, for extension from St. John westward to the European and North American Railway Company of Maine, and for other purposes set out in this Act.

Mr. YOUNG (Waterloo) moved that a message be sent to the Senate requesting their honours will give leave to the Hon. Mr. BELROSE, one of their members, to attend and give evidence before the Select Standing Committee of this House on Public Accounts.—Carried.

ENQUIRIES INTO PUBLIC MATTERS.

Hon. Mr. BLAKE introduced an Act touching the true construction of the Act respecting enquiries into public matters.

Hon. Mr. HOLTON asked for explanations. The title did not explain the object of the Bill.

Hon. Mr. BLAKE said if the title did not explain it the preamble would, It was as follows :—"Whereas it is the right and privilege of the House of Commons that the said House should itself institute and control enquiries into charges preferred in that House by members thereof against ministers of the Crown ; and that such charges should not be made the ground of enquiry by any other tribunal. And whereas it is not fitting that such right and privilege should be infringed, or that such charges should be made the ground of enquiry by the executive through commissioners nominated by the accused parties. And whereas such an enquiry was lately made under powers conferred by an Act respecting enquiries concerning public matters. And whereas thereby doubts have been thrown on the said right and privilege, and on the true construction of the said Act, it is expedient that such doubts should be removed." The Bill was to declare that the Act did not authorize the issue of a Royal Commission in such cases.

The Bill was read the first time.

Mr. SPEAKER informed the House that he had received a certificate and report relating to the North Wellington election, declaring said election void. The facts connected with the case were known to the House. Justice GWYNN had sent in a corrected certificate with a letter explaining his mistake in the first instance. Under the Act, however, he (the SPEAKER) had no power to withdraw the first writ and issue a new one. He therefore laid the case before the House.

Hon. Mr. FOURNIER said it was a mere technical error. In transferring to the Judges the power to try controverted elections, the House also gave the Speaker its jurisdiction in relation to the issuing of writs. Under the acts of 1873 and 1874

the Speaker was only vested with the right of issuing a warrant on receiving the judge's certificate. He had done so in this case, and was therefore *defunctus officio*, and had no power to issue another writ. The judgment was correct in this case, and the error was trifling. The judge was not bound to state in his certificate the statute under which he proceeded, and there would, therefore, be no difficulty in allowing the writ that had been issued to be executed.

Sir JOHN A. MACDONALD said he agreed with the hon. Minister of Justice that the course suggested was the correct one.

QUESTION OF PRIVILEGE.

Mr. SPEAKER — There is another matter affecting the House which I think I should call attention to at the earliest possible moment. A member of the House took his seat, and on one occasion voted without having subscribed the roll and taken the oath. I only discovered the fact on Friday evening, and I now lay the matter before the House, and will instruct the Clerk to strike the member's name from the Division List in which it occurs.

Sir JOHN A. MACDONALD said that with all due deference to Mr. SPEAKER he did not think the member's name could be struck off the list by the mere order of the SPEAKER. Although the Journals of the House were not read every day they were supposed to be, and if any one had any objections to make they were made on the opening of the House. In the absence of any objections the Journals were held to be correct, and could afterwards only be changed by vote of the House; and without the intervention of the House the hon. member must suffer the consequences of having unwittingly voted without taking the oath.

Hon. Mr. MACKENZIE said it would be better to let the matter stand over for a day till he could look into it, as he had only heard of it last night. He believed the hon. member for Wellington was under the impression that having been elected for this Parliament and taken the oath, and his election having been set aside and he re-elected therefore it was unnecessary to take the oath again. Of course, no one would object to taking such steps as might be necessary to relieve the hon. gentleman from the position he was in. He was of opinion that the SPEAKER could not of his own motion order a name to be struck off the Division List. If a name was entered by mistake the matter was brought up next day, and either by motion or general concurrency a correction has been made, but he was not aware of any case where a correction of that kind had been made by the simple order of the SPEAKER.

Hon. Mr. BLAKE observed that the nearest analogy to the present case was the case of a member voting and it being discovered subsequently that he was personally interested, and in such a case the House by motion struck off the name. The present case was if anything stronger, for the Constitutional Act prescribed that the taking of the oath should be a necessary pre-requisite of taking the seat, and, therefore, it was the bounden duty of the House to see that the name was erased. He apprehended that it would be the duty of the Premier to bring forward a motion to that effect, and that being done, if it turned out that any further loss was to be suffered by the hon. member, he supposed the House would agree to obviate it.

Hon. Mr. MACKENZIE—I think the matter had better stand over for to-day, as I have not had time to inquire into the circumstances.

Mr. ORTON wished to explain the circumstances under which he had taken the seat without taking the oath. When he came to Ottawa he inquired of some older members whether it was necessary that he should be re-introduced, and several members informed him that it was not necessary, and gave instances where members had been admitted to the House without being introduced, and, therefore, he considered it was not necessary.

LONDON AND CANADA BANK.

On motion of Hon. Mr. CAMERON (South Ontario), the Bill to amend the Act incorporating the London and Canada Bank was read a second time, and referred to the Committee on Banking and Commerce.

IMPERIAL LOAN AND INVESTMENT COMPANY.

On motion of Mr. MOSS, the Bill to change the name of the Imperial Building, Savings and Investment Company to that of the Imperial Loan and Investment Company was read a second time, and referred to the Committee on Banking and Commerce.

WEST INDIA MAIL SERVICE.

Mr. FORBES asked whether the Government has accepted any tender for the conveyance of mails between the British West Indies, foreign West Indies and British Guiana and the Dominion of Canada during the present year; if so, when will the service commence, will it be fortnightly or monthly; to whom was the contract awarded, and what is the amount of contract; also, what is the length of contract.

Hon. D. A. MACDONALD—Tenders are received but not accepted, and the matter is now engaging the attention of the Government.

CANADIANS IN THE UNITED STATES.

Mr. MASSON asked whether it is the intention of the Government to extend to Canadians who have emigrated to the United States and other immigrants the advantages which they propose to extend to Menonites.

Hon. Mr. MACKENZIE—As I stated the other night when the estimates were before the House, the Government have the matter under consideration, and they will see what can be done.

STORM SIGNALS.

Mr. FORBES asked whether any provision has been made to render the storm signals throughout the Dominion, more reliable by an appropriation sufficiently large to accomplish the same; also, whether any arrangement has been entered into with Telegraph Companies to forward information to stations at the earliest possible moment.

Hon. Mr. SMITH said the Government were endeavoring to secure more reliable information, but not by an increase of the appropriation. They had made arrangements with the Telegraph Companies to obtain information at the earliest possible moment

AGENT GENERAL OF CANADA.

Hon. Mr. TUPPER asked who performed the duties of Agent General of Canada at the office in London, during the absence in this country of that officer, in September and October last.

Hon. Mr. MACKENZIE—There were no duties to perform except those connected with emigration and those were discharged by the senior clerk.

ENROLMENT OF RESERVE MILITIA.

Mr. LITTLE asked whether it is the intention of the Government to cause an enrolment of the Reserve Militia to take place this year.

Hon. Mr. MACKENZIE—It is not the intention of the Government to do so.

NAVAL STATION AT ESQUIMAULT.

Mr. ROSCOE asked whether the Government have taken any steps to carry out No. 9 of the terms of Union with British Columbia, which is "the influence of the Dominion Government will be used to secure the continual maintenance of the Naval Station at Esquimault."

Hon. Mr. MACKENZIE—The question of continuing or discontinuing the Naval Station by the Imperial Government at Esquimault has never come before the Government in any way, but communication has been made in that interest from the point of view the hon. gentleman desires.

"HANSARD" REPORTS.

Mr. FARROW asked whether it is the intention of the Government to have printed and bound an extra number of copies of the *Hansard Reports*, so that members desirous of receiving copies may have the privilege of purchasing them at a reasonable price.

Hon. Mr. MACKENZIE—The hon. gentleman will remember that this matter is entirely in the hands of the House, and unless the House makes an order on the subject the Government have nothing to do with it. Perhaps the Acting Chairman in this House of the Printing Committee will state if anything has taken place in committee on this matter?

Mr. ROSS (West Middlesex)—The contractor for the printing is printing an edition of 500 over and above that required by it, and those extra copies can be purchased.

ONTARIO LAND GRANT IN AID OF CANADIAN PACIFIC RAILWAY.

Hon. Mr. BLAKE asked whether the Government had had any communication with the Ontario Government on the subject of a Land grant in aid of so much of the Canada Pacific Railway as passes through Ontario; and if so, whether the Govern-

ment will lay before the House the result of such communication.

Hon. Mr. MACKENZIE—The Government did communicate with the Ontario Government in reference to a grant of land for that purpose, but so far there has been no result from that communication. As soon as there is it will be laid before the House.

LEPINE COMMUTATION.

Hon. Mr. BLAKE asked whether the Government intended to bring down any further papers touching the commutation of LEPINE'S sentence in answer to the Address of this House on the subject.

Hon. Mr. MACKENZIE—The Government intend to bring down everything that they have in this connection; and they propose to bring the account of the trial including the Judge's charge with the other papers so as to make one package. I hope they will be down in a day or two.

TRANSPORTATION OVER DAWSON ROUTE.

Mr. FARROW asked whether the Government had publicly advertised for tenders for carriage of travellers and baggage over the Dawson route. If so, when advertisements appeared, and upon what terms the Government proposed to award the contract.

Hon. Mr. MACKENZIE—The advertisements appeared, as nearly as I can recollect, in March, 1874, and the tenders were laid before the House. The lowest tender I think was accepted, and the contract was to continue in force from year to year.

NATURALIZATION OF ALIENS.

Mr. YOUNG moved for copies of any despatch or despatches received from the Imperial Government on the subject of the Naturalization of Aliens since the despatch of the Earl of KIMBERLEY of date the 3rd September, 1873. He said the despatch of the Earl of KIMBERLEY dated 3rd September, 1873, spoke of further communications being likely to be made by the Imperial Government to the different Governments of the colonies on this highly important subject. He desired before taking other action to ascertain whether any such despatches had been received, and, if so, he trusted they would be brought down.

Hon. Mr. MACKENZIE said he was not quite certain whether any subsequent correspondence on the subject which the hon. member referred had been received. He thought not, but he would make inquiries and inform the hon. gentleman to-morrow.

Motion carried.

FREE DELIVERY IN MONTREAL.

Mr. OLIVER moved that an order of this House do issue for a statement of the yearly expenses connected with the free delivery of letters and papers in the City of Montreal. Motion carried.

EXAMINERS OF FISH INSPECTORS.

Mr. FORBES moved for a return of the number of Counties in Nova Scotia in which Examiners of Fish Inspectors have been appointed; the number of Inspectors appointed in each County; also, the quantities of fish or fish-oil inspected, with description of package, and by whom inspected, and amount of fees collected. He asked that the return might be brought down on as early a day as possible. Carried.

BOUNDARY LINE BETWEEN BRITISH COLUMBIA AND THE NORTH-WEST TERRITORY.

Mr. THOMPSON (Cariboo) moved the adoption of an address to HIS EXCELLENCY the GOVERNOR GENERAL, praying that he will take the necessary steps to have the boundary line between British Columbia and the North-West Territory (especially towards the North-Eastern boundary of the former) defined without delay, in view of the anticipated extensive immigration to the recently discovered gold mines on the Arctic Watershed. He said he would state briefly the reasons which led him to submit the motion to the House. The miners who had settled in the Stikeen river country had ascended the river 160 miles, and crossed the high-land separating the waters which ran into the Pacific Ocean by the Stikeen from those which ultimately flow into the Arctic Ocean by the Mackenzie river. During three months, because the miners reached there late in the season, between one million and one million and a quarter of dollars worth of gold was taken out of the streams tributary to the Mackenzie. A number of miners had gone two hundred and fifty miles further up than

any point hitherto discovered ; laid in a stock of provisions there, and were engaged in prosecuting mining operations in that section. In travelling through an unsettled country it was impossible for those men to know when they crossed the boundary line separating British Columbia from the North-West territory, and passed under different jurisdiction. The Chief Justice of British Columbia, on a trip made into that section last year, took observations from which he came to the conclusion that the mines then being worked were between 58° and 59° parallel of north latitude—the boundary line being at 60° —and when the miners proceeded between 250 and 300 miles further in a north-easterly direction, it was impossible for them to know when they might strike one of the boundaries of British Columbia, and therefore whether they were within the jurisdiction of British Columbia or the North-West territory. He believed there was no officer of the North-West Government in that section of country, and it was therefore highly important that either the boundaries be definitely settled, or powers be delegated to the British Columbia Government to exercise jurisdiction on the boundaries of the North West territory.

Hon. Mr. MACKENZIE said the Dominion Government would have, in the first place, to take steps to ascertain, as far as possible, from existing documents, where this boundary should be located, and then they would determine what steps should be taken in connection with the Columbia Government to determine the boundary. Communications would, therefore, have to take place with the Columbia Government on the subject. He hoped the motion would not be pressed, because the matter would be dealt with by the Government as a matter of course, and it could only be dealt with, in the first place, by correspondence with the Local Government.

Mr. THOMPSON said that on the understanding that the matter would be brought before the Provincial Government by the Dominion Government, which he hoped would be done without delay, he would withdraw the motion.—Motion withdrawn.

VOTES AND PROCEEDINGS.

Mr. BABY moved that notwithstanding the adoption, during last Session, of the seventh report of the Joint Committee of the House on the Printing of Parliament, reducing to two the copies of the Votes and Proceedings of the House of Commons, now distributed to each member of this House, said number be increased to eight, the number distributed before the adoption of said Report. He explained that the motion was necessary in the interests of the French members of the House.

Mr. ROSS (Middlesex) said the Printing Committee considered it advisable last Session to reduce the number of copies of Votes and Proceedings distributed to each member from eight to two. It was felt by many members that the distribution of such a large number of those documents was not advantageous to them, but a source of constant annoyance. It might be, however, that inasmuch as so few public documents were printed in the French language, the request of the hon. member for Joliette might be considered a reasonable one. If the hon. gentleman chose to refer his motion to the Printing Committee, he (Mr. Ross) would call the attention of the Committee to it at their first meeting, and perhaps they would be able to meet the hon. member's wishes. He would, however, oppose any increase in the number of Votes and Proceedings in the English language beyond that agreed upon by the Committee last year.

Mr. MILLS enquired whether the motion did not involve an expenditure of money.

Mr. MASSON desired to know if the Government opposed the motion.

Hon. Mr. MACKENZIE said the motion went as a matter of course to the Printing Committee and it would be for them to report on it. It was a domestic matter, and the House could order, on the motion of a member, the printing of documents.

Hon. Mr. HOLTON said that perhaps eight copies to each member was a larger number than was absolutely necessary, but to now give only two copies of the Votes and Proceedings to each member was too great a reduction. He thought the point of the hon. member for Bothwell was not well taken, for they were constantly ordering printing to be done for the use of the House.

The motion was referred to the Printing Committee.

THE SPRING HILL BRANCH RAILROAD.

Hon. Mr. TUPPER moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for all correspondence between the Government or their Officers and the Spring Hill Mining Company, for all Orders in Council relating to the said Company, and any agreements that may have been made with the same. He explained that he would like to have all the communications between the Spring Hill Company or any of their officers and the Government, whether the present Government or their predecessors. The report of Mr. BRYDGES to the Government in relation to this matter would naturally lead to the inference in the minds of persons who did not understand the question, that the late Government had made an arrangement with the company which was not beneficial to the public interest. The first time that the question of connecting the Intercolonial Railway with local industries along the route was brought under the notice of the Government, was when the Acadian Iron Mining Company at Londonderry applied for such connection, showing that the establishment would be able to furnish a very large amount of traffic to the railroad. As this was likely to be a precedent for some time and was a matter of a good deal of importance, it was thoroughly examined by the late Minister of Public Works, and he believed there was a report in existence of the Intercolonial Railway Commissioners on the subject. The Government finally proposed to Mr. DEVESEY the Manager of the Acadian Iron Mining Company that the company should show its confidence in the substantial character of their works, and the necessity for the proposed branch, by grading and furnishing the sleepers for it at their own expense the Government agreeing to find the superstructure and lay the track, the fee simple of the road to be conveyed by the Government, and the line to be owned and worked by them in precisely the same way as the Intercolonial Railroad. The Government would charge the company who had thus contributed their money precisely the same rate upon the branch line as on the Intercolonial Railway. The late Minister of Public Works submitted this as the policy of the Government, to the House, and it was endorsed unanimously. Subsequently the Spring Hill Coal Company, in the County of Cumberland, applied to the Government for similar facilities. Although the policy of the Government on this question had been definitely settled, the Government thought proper to submit the application to the House. He had himself an interest in the enterprise, but parted with it at a considerable loss in order that he might be in a position to give the question impartial consideration. The company were able to show more substantial reasons for having this branch constructed than the Acadian Iron Company. The Government required coal for their road, and unless they connected with these mines by a branch of five miles, they would be obliged to carry coal a distance of something like one hundred miles from Pictou for that section of the line between St. John, N. B., and Truro. The company were, therefore, in a position to claim consideration at the hands of the Government that the Iron Company were not, because they could show it was eminently in the interests of the Government that the branch should be built. They were treated in precisely the same way as the other company. They were told if they would acquire the land, grade the line, and furnish the ties at their own expense, the Government would complete the line and take possession of it, charging the company the same rates for freight as other companies. This also was sanctioned by the Honse, he believed, unanimously. He was surprised, therefore, to observe in Mr. BRYDGES' report a statement conveying the impression that the late Government had made an arrangement which was disadvantageous to the public interest. He would not say anything as to that gentleman's motives for making such a statement, but merely mention the position of affairs. The present Government considered it wise to entirely change the policy which Parliament had on two occasions formally sanctioned in relation to local industries. This Government had not only made a present of the road to the company, but had bound them to furnish a new superstructure for the entire line, between four and five miles in length.

Hon. Mr. MACKENZIE—New rails, you mean?

Hon. Mr. TUPPER—New rails for the purpose of laying the entire line. In addition to this, they had largely reduced the rates of freight—he did not say improperly, because he believed it was in the interests of the country to develop these great mineral resources to the largest possible extent, and that every facility should be given to those engaged in developing such industries. They had reduced the charge established by the late Government for the conveyance of coal to the extent of something like 40 per cent. per ton between the junction of the branch with the main line and St. John.

Hon. Mr. SMITH—Do you object to that?

Hon. Mr. TUPPER—Not at all. But he believed, when an important statement was made by an officer of the Government that the late Government had, for some reason best known to themselves, unduly favored the Spring Hill Mining Company, that it was right for him (Mr. TUPPER), in dealing with the question, to show precisely the position in which affairs stood. He believed he had a right to say that, instead of the Spring Hill Company being in the slightest degree indebted to the late Government, they certainly were to the present Ministry for the extremely generous manner in which they had been presented with five miles of railway, which the Government bound themselves to furnish with new rails to lay the entire track, and make besides a reduction in the freight rates on the Intercolonial Railway of 40 cents per ton to St. John.

Hon. Mr. MACKENZIE had no objection to submit the papers. He might remark, however, that the hon. gentleman seemed to have made his statement with a view to giving the impression that the present Government had unduly favored this company, though he did not find fault with them for doing so. The Government policy was that these short lines should be, if possible, managed by parties immediately or wholly interested, and that the Government should receive their cars at the junction and run them over the main line. He entirely differed from the hon. gentleman that the policy of the late Government was a proper one to pursue. They were bound to give every facility to the large companies along the line and carry freights for them at the lowest possible rates, especially where there was water competition. This was the case between the Spring Hill mines and St. John, and, unless the rates were reduced, they would lose the carrying of the coal. He did not see anything in Mr. BRYDGES' report to convey such an impression as that indicated by the hon. member for Cumberland. It was simply the intention to convey the impression that the arrangement made in the matter by him was one not in the interest of the country or the Government either, and that a change would be advisable. He (Mr. MACKENZIE) entirely approved of that change, and, whether right or wrong, it had been made with the general approval of both sides. He did not admit at all the doctrine that because a vote of money was passed for a specific purpose on this occasion that thereby the Government became pledged to the policy involved in it. So far from the House having unanimously adopted the policy of the late Government in this respect, he (Mr. MACKENZIE) for one objected to it very strongly at the time, and whether he divided the Committee or not he certainly stated his objection. If he yielded, it was simply because, like the hon. gentleman opposite at present, he could not help himself.

Hon. Mr. TUPPER said his object was simply to show that the Government had taken a retrograde step. The Spring Hill Mining Company owned a very large and valuable coal area, it was true, but they did not own the entire coal field at Spring Hill. There was one Association which owned four square miles of coal, believed to be very valuable, and there were several other large coal properties independent of that held by the Spring Hill Mining Company. The fact of the change in the Government policy was that either all these companies must expend very large amounts of money in building parallel lines to that recently owned by Government but now presented to the Spring Hill Mining Company, or submit to whatever terms that Company might impose, since they had the monopoly of the branch. He mentioned this as one of the reasons why he thought it was not wise to change the policy of this House in relation to this local enterprise.

The motion was carried.

PROTECTION OF CARRIERS.

Mr. IRVING moved the second reading of the Bill for the more effectual protection of carriers by land, and for the regulation of traffic throughout the Dominion.

Hon. Mr. MACKENZIE enquired what course his hon. friend proposed to take if the Bill were read a second time.

Mr. IRVING said he proposed to have it referred to the Committee on Banking and Commerce.

Hon. J. H. CAMERON (Cardwell) said it was a question how far the Civil Law in the different Provinces might be affected by this Bill, and he thought, considering the great amount of important business continually before the Committee on Railways and the Committee on Banking and Commerce, that neither of them would be able to do entire justice to this subject. Questions as to jurisdiction would necessarily spring up in connection with it, and the question of local jurisdiction he considered to be one of those requiring the most careful consideration and delicate handling.

Hon. Mr. MACKENZIE said that personally he had the strongest objection to some provisions of the Bill, and he thought it should go to a sub-committee, the members of which should be very carefully selected. There were some provisions in the Bill similar to those of other Acts passed in the Federal Parliament, and the principle had, to some extent, been acknowledged ; but it was also evident that it involved matters which might conflict with the jurisdiction of the Local Governments. The Government had given the Bill some consideration, and while there were propositions in it which might not be objected to, there were others of a very different kind.

Hon. J. H. CAMERON suggested the propriety of letting the matter stand in the meantime until the Government had arranged for SpecialCommittee to consider it.

Hon. Mr. BLAKE said he thought a Sub-Committee of either the Committee on Railways or the Committee on Banking and Commerce, would be the proper body to which to refer it.

Hon. Mr. MACKENZIE said if the Bill were referred to any standing committee, it should be the Committee on Railways.

Sir JOHN MACDONALD agreed with the hon. member for South Bruce with regard to the propriety of submitting the matter to a Sub-Committee ; and also with the Premier that the Committee best fitted to deal with it was the Railway Committee.

Mr. WILKES said the Bill had been spoken of as if it largely or entirely affected railways, when the fact was that it should be considered as affecting commerce. Every clause of it was in the interest of railways and against trade. He was distinctly opposed to the legislation proposed, and hoped, if the Bill were referred to the Railway Committee, that it would be placed in the hands of a Sub-Committee qualified to deal with it.

The Bill was then read a second time and was referred to the Standing Committee on Railways, Canals and Telegraphs.

RAILWAY RETURNS.

On the motion of Mr. IRVING, the Bill to extend and amend the law requiring Railway Companies to furnish returns of their capital, traffic and working expenditure, was read a second time, and referred to the Standing Committee on Railways, Canals and Telegraphs.

PRECEDENCE TO GOVERNMENT MEASURES.

Hon. Mr. MACKENZIE moved that during the remainder of the Session Government measures shall have precedence on Thursday, on the Orders of the Day.—Carried.

POSTAL SERVICE AMENDMENT BILL.

Hon. D. A. MACDONALD rose to move the second reading of the Bill to amend the Act for the regulation of the postal service. In doing so, he said that at the first reading he proposed that the explanations should be made in the second reading. The first clause merely extended the meaning of the term " Post Letters," which would signify, when used throughout the Act, any letters delivered through the post or deposited in any Post Office, drop letters included. The second clause was merely a verbal amendment of the ninth section of the Act and also a verbal amendment of the fourth sub-section of the tenth

section. With regard to the sixth subsection of the tenth section he proposed the following addition:—

"Cause to be prepared and distributed postage and registration stamps necessary for the pre-payment of postages and registration charges under this Act; also stamped envelopes for the like purpose, and post cards and stamped post bands or wrappers for newspapers or other mailable articles not being post letters."

This is by regulation in the meantime, and he desired that it should have a place in the Act. He proposed to amend the fourteenth section by giving greater powers to the Deputy Inspectors, which would enable them, when necessary, to perform the duties which at present could only be performed by Inspectors. The duties of Inspectors were daily becoming heavier, and the result had been that some of the offices were not inspected for years. He therefore proposed to add to that section the following:—

"And it shall be the duty of such Post Office Inspectors and Assistant Post Office Inspectors, under such instructions as may from time to time be given to them by the Postmaster General, to superintend the performance of the mail service, taking care that, as far as the state of the roads and other circumstances will permit, the stipulations of all contracts for the conveyance of the mail are strictly complied with by the contractors. To instruct new Pastmasters in their duties; to keep the Postmasters to their duty in rendering their accounts and paying over their balances; to inspect every Post Office from time to time, to see that it is properly kept, and that the Postmasters and their assistants perfectly understand their instructions and perform their duty well in every particular; to inquire into complaints or suspected cases of misconduct or mismanagement in respect of such duty; and also into complaints of the miscarriage or loss of letters or other mail matter; and generally to do all and whatsoever they are from time to time instructed or required by the Postmaster General to do for the service of the Post Office Department."

It was his intention that every office within the limits of each division should henceforward be inspected every year, and that the condition of the books and accounts should be regularly reported upon. The sixth section was proposed as a subsection of the 18th, Section of the old act, and was as follows:—

"The Postmaster General, upon evidence satisfactory to him, that any person, firm, partnership or company, in Canada or elsewhere, is engaged in conducting any scheme or device for obtaining remittances through the Post Office by means of false or fraudulent pretences, representations of promises of any kind, may forbid the payment by any Postmaster to any such person, firm, partnership or company, of any Postal Money Order drawn in his or their favor, and may provide for the return of the sum named in any such order, to the remitter thereof, and may, upon such like evidence forbid the delivery to such person, firm, partnership or company, of any registered or other letter, which he belives to be addressed to or for him or them, through or by reason of any such fraudulent scheme or device, and may cause any such letter to be returned to the sender thereof, marked with the word "Fraud." as reason of non-delivery to its address."

During the last few years bogus companies had been using the Post Office in order to impose on the public, and the Department had received several communications directing attention to the operations of such bogus companies, and asking that letters sent by the parties so communicating might be stopped in the mail. The United States had passed in 1873 a still more stringent Act than the one now proposed, and it had resulted in driving these bogus companies into this country, where they carried on their fraudulent operations with impunity. It was impossible to put a stop to them unless some such power as that asked for was granted to the Department. This power was never likely to be abused because no Postmaster General could act upon it unless a case was specially brought under the notice of the Department. The 19th section amended so as to make it read as follows:

"On all letters transmitted by post for any distance within Canada, except in cases herein otherwise specially provided for, there shall be charged and paid one uniform rate of *three cents* per half ounce weight, any fraction of a half ounce being chargeable as a half ounce; and such postage rate of three cents shall be pre-paid by postage stamp or stamps at the time of posting the letter, otherwise such letter shall not be forwarded by post."

The result of the reduction in the rates on letters to the United States would involve in the meantime a direct loss to the revenue of $60,000, but he thought the accommodation to the public would more than compensate for the loss.

Hon. Mr. POPE asked what could be done in the case of a letter having a three-cent stamp but weighing over half an ounce.

Hon. Mr. MACDONALD said in such a case it would be the duty of the Postmaster General to return the letter to the sender, and not send it to its destination. The 8th Section amended the 20th Section of the Act by inserting the words "per half ounce in weight" after the words

"one cent" in the third line of the said section. This was to provide that drop letters should be paid according to weight. Section 9 repealed Sections 22, 23, 24 and 25 of the old Act, as under the proposed provision requiring prepayment of newspapers, they were unnecessary, and substituted the following :—

"The rate of postage on newspapers and periodical publications, printed and published in Canada, and issued not less frequently than once a month from a known office of publication or news agency, and addressed and posted by and from the same to regular subscribers or news agents, shall be *one cent* for each pound weight, or any fraction of a pound weight, to be prepaid by postage stamps or otherwise, as the Postmaster General may from time to time direct; and such newspapers and periodicals shall be put into packages and delivered into the post office, and the postage rate thereon prepaid by the sender thereof, under such regulations as the Postmaster General may from time to time direct."

The proposed rate was one cent a pound. In order to show how small the tax really was he had selected a few newspapers and ascertained how many of them it took to make a pound, as follows :— London *Advertiser*, Ottawa *Free Press*, Ottawa *Citizen*, and Montreal *Witness*, each about 15 to the pound ; Walkerton *Telescope*, 12 ; Bruce *Reporter*, 13 ; Ingersoll *Chronicle* and Woodstock *Times*, each 10 ; Montreal *Bien Public*, 16 ; Toronto *Daily Globe*, 8 ; *Daily Mail*, Montreal *Gazette* and *Herald*, each 9 ; Halifax *Citizen*, 14 ; St. John *Telegraph*, 12 ; and Hamilton *Times*, 11. The way in which Postmasters would deal with newspapers sent from the office of publication would be to weigh all the papers brought to the office together, whether they were addressed to one or more offices, and charge one cent a pound for the whole. There would be no separate weighing of papers sent to different Post Offices. The Department expected to lose by this change $40,000, so that by this and the other changes there would be a loss to the revenue of $100,000, but he was satisfied that in a short time the increased matter that would be sent through the Post Office would make up this loss. At present a large number of newspapers were sent by express, but after our proposed reduction in the rates of postage it would cease to be an object to publishers to send their papers by express. He proposed also to insert the following section, which was now by regulations, and he wished it placed in the Statute :—

"Newspapers and periodicals weighing less than one ounce each may be posted singly at a postage rate of *half a cent* each, which must be in all cases prepaid by postage stamp affixed to each."

The twenty-sixth section of the old Act is amended to make it read as follows :—

"On all newspapers and periodicals posted in Canada, except in the cases hereinbefore expressly provided for, and on books, pamphlets, occasional publications, printed circulars, prices current, hand-bills, book and newspaper manuscripts, printers' proof sheets, whether corrected or not ; maps, prints, drawings, engravings, lithographs. photographs when not on glass or in cases containing glass, sheet music, whether printed or written ; documents wholly or partly printed or written, such as deeds, insurance policies, militia and school returns, or other documents of like nature ; packages of seeds, cuttings, bulbous roots, scions or grafts, patterns or samples of goods or merchandise, the rate of postage shall be *one cent* for each four ounces, or fraction of four ounces.

"Provided that no letter other communication intended to serve the purpose of a letter be sent or enclosed in any such newspaper or other package or thing mentioned in this or the next preceding section, and that the same be sent in covers open at the ends or sides, or otherwise so put up as to admit of inspection by the officers of the Post Office to ensure compliance with this provision, and the postage rate shall be prepaid by postage stamp or stamped post bands or wrappers, in all cases when any such articles as are mentioned in this section are posted in Canada."

Section 28 of the Act is amended by inserting after the word "prepared" the words "in cases where prepayment has not been made obligatory." This referred to mail matter coming in from foreign countries, over which we had no control. He hoped, however, that arrangements might be made before long by which foreign mail matter would be prepaid. The 29th section of the Act is amended by the following paragraph :—

"And when any letter or other mailable matter is posted in Canada without pre-payment, or insufficiently prepaid, in any case in which pre-payment is by this Act made obligatory, the Postmaster-General may detain the same, and return it, when practicable, to the sender."

Section 30 of the Act is amended by striking out all the words after the word "delivered" in the sixth line thereof, and inserting the following instead thereof, as part of the said Section :

"Bearing unpaid postage, as shall also the exact value in current coin as respects postage stamps, registration stamps, stamped envelopes or post cards, post bands or wrappers, pur-

chased from any Postmaster, and the exact amount of postage payable to any letter carrier on any letter or mailable matter delivered by him."

The Department would issue post bands or wrappers, ready stamped, with a one cent stamp, which would be sold at the rate of four for five cents, barely enough to cover the cost of the paper and the stamp. Section 36 of the act is amended by striking out all the words after the word "city" in the seventh line of the said Section, and inserting the following instead thereof, as part of the said Section :—

"And such system of free delivery when established in any city shall be subject to such regulations as the Postmaster General shall from time to time see fit to make."

The third Sub-section of the thirty-eighth Section of the said Act is amended by striking out all the words after "Commons," in the third line, and inserting instead thereof the words "and books belonging to the Library of Parliament at Ottawa may be sent from the same to any member of either House, or from any such member addressed to the Librarian, during the recess of Parliament, and free of postage in either case."

At present only about one thousand dollars per annum was received from this source, and as it involved a great deal of trouble it was thought best to do away with it entirely.

The fifth sub-section of the said section was also amended by adding at the end thereof the words, "and members of the Legislature of any one of the Provinces of the Dominion may in like manner send by mail free of postage all papers printed by order of such Legislature. The seventh sub-section of the said section is amended by striking out all the words in the first and second lines thereof, and inserting in their place the words, "petitions and addresses to the Legislature of any of the Provinces of the Dominion."

The 40th section is amended

By substituting the words "*three cents*" for the words "*five cents*," in the seventh line thereof, and by inserting after the words "returning the same," in the eighth line thereof. the words "less, in the case of insufficiently pre-paid letters or other mailable matter posted in Canada, such amount of postage as may have been pre-paid on the same."

This was reducing the charge on letters returned to the sender from five to three cents. Section 41 of the act is repealed, as it would no longer be necessary to advertise dead letters, they being returned to the senders. Section 42 being a useless amendment. The forty-fourth Section of the Act is amended by striking out the words "at the expense of the said United States," when they occur in the said Section. This Section was in accordance with the Convention recently entered into with the United States, by which we agreed to carry their mail matter over the Great Western Railway from one part of the United States to the other, which would cost us $11,000. In return for this the Americans were to carry our mails through their territory to British Columbia, Manitoba and the Lower Provinces, which would cost us about $28,000, so that in this respect a very satisfactory arrangement had been made.

There was considerable difficulty felt in respect to the forty-ninth section of the old act, and in order to make the act clear he proposed to amend it by striking out the whole section, except the following provision :—

"No postmaster shall, under any pretence whatsoever, have or receive or retain for himself any greater or other allowance or emolument of any kind than the amount of his salary and allowance as fixed by law, or by the Postmaster General."

By the fiftieth section there were some verbal amendments. The fifty-first section was amended by striking out the words "one or more of the newspapers published in or nearest to the county or counties where the contract is to be performed," and inserting in their place the words "such newspaper or newspapers as the Postmaster General shall direct in each case, and by public notices put up in the principal post offices concerned in such contract." The sixty-eighth section was amended by striking the words "three dollars," out of the fourth line, and inserting in their place the words "one dollar." This change was made to meet depositors who are very numerous. The seventy-sixth section was amended by striking out the fifth, sixth, seventh, eighth, twelfth and fourteenth sub-sections thereof, and by inserting at the end of the fifteenth Sub-section thereof, the words, "showing how such dead letters have been disposed of." The department desired to discontinue the publication of certain portions of the Annual Report, and the sections relating thereto were struck out of the act. In that connection he desired to state that too many details were published in the general report. Folios 202 to 262 were occupied with a report of contracts made for the transportation of mails in Canada during

the year, stating in each case its date and intended duration, the name of the contractor, the routes embraced in the contract, with the length of each, the time of arrival and departure at the end of each route, the mode of transportation contracted for, and the price stipulated to be paid by the Department. By omitting that statement the annual report of the Department would be reduced one-third, and so far as its usefulness was concerned, he could not conceive why it should be printed. In the United States the Post Office Department had abolished its publication in its report. Any member who desired could always see at the Public Departments the contracts awarded. The list of Post Offices established in Canada, during the year, he also proposed to strike out of the annual report; it was of little or no use to the public, and its omission would effect a considerable saving. He also proposed to omit Report No. 14, which was a copy from the records of all offers made for carrying the mails upon contracts advertised for public competition in the Dominion. If the House would agree to also strike this out, they would save a large sum, which was every year increasing, The twelfth, fifteenth and sixteenth sub-sections of the seventy-seventh section were verbally amended. Further provision is made for offences which are to be included as misdemeanours under the seventy-seventh section of the act, among these being the posting of immoral publications, pictures, &c. The sub-section was as follows:

"To post for transmission or delivery by or through the post any obscene or immoral book, pamphlet, picture, print, engraving, lithograph, photograph or other publication, matter or thing of an indecent, immoral, seditious, disloyal, scurrilous or libellous character, or any letter upon the outside or envelope of which, or any post card or post band or wrapper upon which, there are words, devices, matters or things of the character aforesaid, shall be a misdemeanor. The eighty-first section of the said act is hereby amended by inserting immediately before the word "such" in the fourth line thereof, the words "or if any person uses or attempts to use for the purpose of transmission by or through the post, any post card or stamped envelope or stamped post band or wrapper, which has been before used for a like purpose," —and by inserting after the word "used" in the seventh line of the said section, the words "and the post card or stamped envelope stamped post band or wrapper so used more than once."

Hon. Mr. Macdonald.

A new section (numbered thirty in amendment with) was introduced to enable government to obtain better security from the employers of the Department in the interest of the public who might require to furnish bonds from guarrantee societies or others, for the due discharge of their duties. The expense which would be involved by the adoption of the bill was $150,000. That was exclusive of free delivery of letters in nine cities of the Dominion, Halifax, St. John, Quebec, Montreal, Kingston, Ottawa, Hamilton, London and Toronto, which would cost $45,000. The increase in the number of drop or city letters distributed at Montreal since the adoption of the free delivery system had been ten fold, and he expected to realize a very large sum from the increased business caused by the introduction of the free delivery system. The convenience arising from a free delivery of letters could only be estimated by the satisfaction it had already given in Montreal, and it was intended within a few days to establish it in Toronto, and as soon as possible in the Lower Provinces. He hoped that on 1st July all the principal cities of the Dominion would have a free delivery of letters. With those explanations he moved the second reading of the bill.

Mr. CURRIER said it was to be regretted, since the Postmaster General had made so many improvements and reforms in his Department, that he was taking a backward step in one particular —namely, in charging more than one cent for "drop" or local letters. The increased charge, he thought, would be a very great inconvenience, and there would be but very little increase of revenue to the Department arising therefrom. Hon. members who represented city constituencies knew how large was the number of 'drop' letters passing through the respective city Post-Offices, containing accounts for money due and remittances in payment, which, if the proposed increase were carried into effect, would not be sent by post at all. The benefit to be derived by the Department, he thought, was by no means a compensation for the inconvenience it would cause the public.

Mr. OLIVER said it would have been better if the Postmaster General had consolidated the whole Post Office law. It was a most difficult thing for people in

country sections, and even those in the centres of trade, who were unacquainted with tracing up Acts of Parliament, to understand what the Act as it stood really meant; and he hoped, before this Bill was finally disposed of, that the Postmaster General would consolidate the whole law relating to the postal service. There was another matter which he would like to see somewhat changed that was, the provision which compelled local newspapers to prepay their postage. The House knew, at the present time, people in the rural districts, subscribing for a newspaper, paid the post office the postal charges on delivery. Under this Bill it was proposed that publishers should be compelled to pay the postage themselves, which would entail upon them an expenditure of from $50 to $400 a year. He had no objection to reducing the postage upon newspapers, which he thought was a step in the right direction, but he did think that the Postmaster General might have gone further and removed the impost altogether. In the case of newspapers published in cities, such as Toronto, and Montreal, the Express Companies distribute them throughout the country, free of charge he understood, receiving value, of course, for their work, in the shape of advertisements, and "puffs." Thus the publishers of local journals were placed at a disadvantage. He believed the whole revenue derived from the postage of newspapers, would not exceed $25,000. Provision was made in the Bill, for the free delivery of letters in cities. He was not opposed to free delivery, if such were required, but there were very few cities in the Dominion which were so large, that the people could not send to the post office for their letters themselves. He understood from the Postmaster General that free delivery in all the cities of Canada would entail an expenditure of $45,000 per annum. There was another point to which he desired to refer—public documents were all sent by mail free of charge. The Province of Ontario had a surplus of $6,000,000 and other Provinces had also surpluses. He asked, therefore, whether it would not be well to remove the postage from newspapers and make these rich Provinces pay for mailing their official documents. He believed that would be endorsed by the people of this country. He was sure the publishers of newspapers in the rural districts were less able to pay the postage on their newspapers than the rich Province of Ontario. He submitted these considerations to the Postmaster General in the hope that he would see his way to carrying newspapers free of charge.

Hon. J. H. CAMERON quite concurred in the suggestion that this Bill of thirty clauses should be incorporated in the old Act. There were some clauses amending portions of the latter which were not based on prepayment of postage.

Hon. D. A. MACDONALD—That would relate to foreign.

Hon. J. H. CAMERON—No, not to foreign. For instance, the 13th section was as follows :—

> The thirtieth section of said Act is hereby amended by striking out all the words after the word "delivered" in the sixth line thereof, and inserting the following instead thereof, as part of the said Section :
>
> "Bearing unpaid postage as shall also the exact value of current coin as respects postage stamps, registration stamps, stamped envelopes or post cards, post bands or wrappers, purchased from any Postmaster, and the exact amount of postage payable to any letter carrier on any letter or mailable matter delivered by him."

This related to postage within the country, and there was another instance in another part of the bill. Then clause six empowered

> The Postmaster General, upon evidence satisfactory to him, that any person, firm or partnership or company, in Canada or elsewhere, is engaged in conducting any scheme or device for obtaining remittances through the Post Office, by means of false or fraudulent pretences, representations or promises of any kind, to forbid the payment by any Postmaster to any such person firm, partnership and company, of any postal money order drawn in his or their favor, and to provide for the return of the sum named in such order, to the remitter thereof, and may, upon such like evidence, forbid the delivery to such person, firm, partnership or company, of any registered or other letter, which he believes to be addressed to or for him or them. through or by reason of any such fraudulent scheme or device, and may cause any such letter to be returned to the sender thereof, marked with the word "Fraud" as reason of non-delivery to its address.

Now, it was very true that the provision in the United States law on this subject was more stringent than this was in one sense, because it made the offence a misdemeanor, but it must be tried first. Under this clause, however, the Postmaster General was given the very great power to stop mail matter, upon the *ex*

parte statement of any one, open letters and packages and hold their contents. Then the clause with regard to a guarantee was one which deserved careful consideration. While it held officials responble for losses which might occur in the transmission of mails and empowered the Postmaster General to prosecute and recover the amount of the penalty stipulated in the bond, the clause contained the following proviso :—

But nothing herein contained shall be held to create any liability on the part of HER MAJESTY or the Postmaster General, to any person or parties whomsoever, to indemnify or hold harmless, pay or reimburse such person or party for the loss of any such money, goods, chattels, or valuables or effects.

The Government might recover the money, but need not distribute it to those who had sustained loss. Without going into such a statement at all, the Government could deal with such cases. There were two or three other clauses to which he would refer at another time. With reference to the report, he considered that the information it contained was exceedingly valuable to the public. It was all very well to say that any one desiring information not contained in the report could get it on application at the Department, but the country at large could not obtain it in that way, and should have it in the report. He did not believe free delivery in cities was necessary. If it was to cost $45,000 annually, and the revenue from newspaper postage was only $25,000, he would prefer to have newspapers free.

Hon. Mr. MACKENZIE—It is the law now to have free delivery.

Hon. J. H. CAMERON—It is not carried out, then.

Hon. Mr. MACKENZIE — Yes, partially.

Hon. J. H. CAMERON said it was in Montreal, and the House was now officially informed that it was to be carried out in other cities. This Bill was a step in the right direction. For making intercourse by mail easier and freer, the Postmaster General was entitled to the thanks of the country. If the Government had a teeming surplus and could afford to give free delivery in cities as well as to carry newspapers free, so much the better, but he would prefer the latter to the former.

Mr. YOUNG urged the Postmaster General to carry newspapers free of postage. He regarded the Bill as a very valuable one, and he was sure it would be received with great satisfaction by the country. It was really absurd the condition of our postal laws in so far as connection with the United States was concerned. He had the honour of calling attention to this on a former occasion, and he was sure that, although there would be a small decrease of revenue by the new arrangement, the public would heartily approve of what the Postmaster General had done. He had practically thrown aside newspaper postage, but had left the fag end of it on the proprietors of country newspapers. He should have made the reform complete. The total amount received from newspaper postage last year was $72,000. Two years ago, as shown by return that he (Mr. YOUNG) had called for, it was $60,000, and it was stated by the Deputy Postmaster General that $30,000 of that amount was supposed to have been received from newspapers sent direct from the office of publication. The total amount received from the same source last year, therefore, could not have been more than $36,000. If the reduction in postage proposed by the Bill were applied to this amount, it would reduce it to such an extent that it would not be worth keeping an account of it. Twelve ordinary newspapers would weigh one pound, the postage of which would be one cent. The postage on weekly newspapers at present was about one-half a cent per newspaper. The reduction would, therefore, be about one-sixth, which would yield a revenue of some six thousand dollars. For such a small amount it was hardly worth while to keep accounts. A newspaper having a circulation of one thousand would pay about $50 a year in postage, which would fall upon the publisher because it was simply impossible to get it from the subscribers. He was extremely doubtful, from his experience in the newspaper business, whether publishers would be able to increase their circulation sufficiently to make up his amount. Every one was interested in the improvement of our newspapers. This postage would have a tendency to induce publishers to use lighter paper which through weighing less would not have such a neat appearance as better and heavier qualities. He hoped the Postmaster General would remove the postage on newspapers altogether.

Hon. Mr. MACKENZIE laid on the table the sentence of outlawry on LOUIS RIEL.

It being six o'clock the House rose for recess.

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AFTER RECESS.

Mr. COLBY said he had not had the opportunity of listening to the explanations of the Hon. Postmaster General nor had he the opportunity of giving the Bill more than a cursory reading. He could not, however, refrain from expressing the satisfaction he felt in common, he believed, with perhaps every member of the House with the main features of the Bill. It was one he believed which would give great satisfaction to the country. At the same time he was inclined to agree with the suggestions of the members for North Oxford and South Waterloo with regard to postage on newspapers. There were special reasons why this matter should receive the favourable consideration of the Government at the present time. In consequence of the recent convention with the United States our newspaper and magazine publishers had to encounter an opposition which they had hithereo never met in their business. It was well known that the leading magazines and newspapers of the United States were conducted in a very enterprising manner, and having large circulations they were able to have a large amount of capital at their command. At Chicago the other day he was told that one newspaper proprietor paid no less than $400 to $600, a day for a verbatim report of the testimony in the celebrated Beecher case, and either that proprietor or another newspaper proprietor ran a special Sunday morning train between Chicago and Milwaukee for the delivery of its Sunday edition. This spirit of enterprise was not confined to Chicago, but existed in the management of all great newspapers in New York, Boston and other cities. While we in this country had very many valuable magazines and newspapers, yet some of them had a hard struggle for existance, and in many instances proved to be disastrous to their promoters. Now the practical effect of this convention would be to cause an inundation of newspapers and magazines from the United States into Canada. He was told by a mail-conductor that since that convention the increase in the amount of literature of that kind introduced into Canada from the United States was astonishing. Our newspapers, therefore, would have to encounter this kind of competition. Moreover, the American publishers having a large field for their papers, and being able to command the highest talent were able to produce very valuable and readable papers—papers which from a mere money point of view were better than any that could possibly be produced in this country. While our newspapers generally would have to encounter this kind of competition, it would fall with special force upon the local press of the country. The country newspaper not only contained the local news of its constituency, but required to have a certain amount of what may be called domestic reading, and in this respect it would be affected very seriously by the competition of a large class of family newspapers in the United States. The amount of revenue which would be derived from the postage of newspapers under the present Bill would be very small, and he trusted that the postage on newspapers would be entirely removed.

Mr. MILLS said he did not propose to enter into any lengthened discussion on this Bill. It seemed to him that it had generally met with the approval of the House, and he thought deservedly so. With the exception of the objection made by the hon. member for Cardwell all the objections to the Bill were as to mere matters of detail, and not to the principle of the Bill. He was one of those that were opposed to the abolition of newspaper postage. He had never been able to understand upon what grounds its abolition could be defended. The Government in undertaking to carry letters and newspapers undertook in so far the work which belonged to common carriers, and he was sure that if any private parties were to undertake to perform the work now being done by the Government it would seem a very extraordinary proposition that they should do work free for the parties receiving the papers, and be paid for doing it out of the public treasury. He could see no difference whatever between the public treasury paying for the transmission of newspapers or letters and the removing of the postage altogether from newspapers. The people of this country were not so indifferent to newspaper

literature as to give up their subscriptions to newspapers unless they were carried free. This question was one simply of demand and supply. Those who required newspapers would subscribe for them, and they would make no more objection to paying the Government for carrying their papers than they would to paying the editor or publisher the subscription price. He could therefore see no ground for the demand that newspaper postage should be entirely abolished. It was not a tax. It bore no resemblance to a tax. It was not something imposed upon parties for the purpose of enabling the Government to do something else, but it was simply a charge, and a very small charge indeed, considering the amount of labor involved in carrying newspapers from the place of publication to the parties wishing to receive them. Another observation he would make was this: He believed that if they did away with newspaper postage altogether the result would be to close up a considerable number of small post offices throughout the country. He himself had experienced very considerable difficulty in getting post offices established where he thought they were necessary, and he was quite sure if the postage on newspapers was abolished, and that source of legitimate revenue taken away from the Postmaster General, he would find very great difficulty in extending facilities for the distribution of postal matter to the people of sparsely populated rural districts. He apprehended that people who would have to go four or five miles instead of one or two for the purpose of receiving postal matter, would be much more likely to discontinue their subscriptions to newspapers than they would on account of having to pay 20 or 25 cents postage. He was, therefore, entirely opposed to the principle of the abolition of postage on newspapers, and held that there were no grounds upon which it could be justified. The money required for carrying on the Post Office Department must be had somewhere. It must come out of the pockets of the people in some form or other, and he could see no fairer way of getting the money than by requiring people who received newspapers and letters to pay the small charge imposed for carrying them.

Sir JOHN A. MACDONALD said he did not rise to continue the debate, but to ask the hon. gentleman to postpone it. The House had now heard the explanations of the Postmaster General, and the hon. gentleman would see from the remarks of various members that his Bill would be treated on its merits, and not in any way as a party measure. He would also suggest that in the meantime the hon. gentleman consider well the point taken by the members for South Oxford and Cardwell respecting the advantage of consolidating the postal law rather than passing a Bill in amendment. If there were two large Acts in force Postmasters and others would have great difficulty in ascertaining exactly what was the law, and it would be a great advantage to the public to have all the law on the subject embodied in one Act. He would also suggest to the Postmaster General that he introduce his resolutions relating to the rates and prepayment of postage without delay, as it was irregular to discuss these matters in the Bill.

Hon. Mr. MACDONALD said, as there appeared to be a general desire to have the debate adjourned, he would not raise any objection, though, as the objections were principally to details, he had supposed they might better be considered in Committee.

On motion the debate was adjourned.

PRESERVATION OF PEACE IN VICINITY OF PUBLIC WORKS.

On motion of Hon. Mr. MACKENZIE, the Bill to amend the Acts for the better preservation of peace in the vicinity of public works was read a second time and referred to Committee of the Whole forthwith, and reported with amendments.

PROTECTION ON RAILWAYS.

Hon. Mr. MACKENZIE moved the second reading of an Act for the better protection of persons and property conveyed by railways. He said the bill would be referred to the Committee on Railways and Telegraph Lines.

Right Hon. Sir JOHN MACDONALD said he was glad to hear it. The measure was one requiring to be well considered by the Minister of Justice before it became law.

The bill was read a second time and referred to the Committee on Railway and Telegraph lines.

SUPPLY.

The House went into Committee of Supply, Mr. SCATCHERD in the chair.

The estimates for the Indians were first taken up.

On item $2,200 for the Indians of Quebec.

Mr. JONES (Leeds) asked why there was an increase of $950 over the appropriation of last year.

Hon. Mr. LAIRD regretted that the Indians of Quebec were not so well situated as the Indians of Ontario. Their lands were not so good, and they were not realizing anything like fair prices from them. They were, generally speaking, in very poor circumstances indeed, and this increase was to supply their real wants.

The item passed.

Items 150 and 151 were passed without discussion.

On item $4,500 for the Indians of New Brunswick,

Hon. Mr. MITCHELL asked the Minister of the Interior if he could give the relative number of Indians in Ontario, Quebec, New Brunswick and Nova Scotia. It appeared to him there was a large number of Indians in New Brunswick, and this sum was not sufficient to meet their wants.

Hon. Mr. LAIRD said he had not the statistics by him that were asked for. Last year the Government had increased the vote for the Indians in Nova Scotia and New Brunswick, and as they were not increasing fast in numbers this estimate might be considered fair now. He believed there was a larger number of Indians in Nova Scotia than in New Brunswick, but in the latter province a good deal of the money that should have gone to the Indians had been lavished on two officials. He was thinking of reducing their salaries and giving more of the appropriation to the Indians.

Hon. Mr. MITCHELL doubted the correctness of the hon. gentleman's information. With reference to the two officials the hon. gentleman was entirely misinformed. They discharged their duties very efficiently. He (Mr. MITCHELL) thought there had not been sufficient attention given to these unfortunate people, and his object in rising now was to ask the Minister of the Interior to increase this appropriation for the purpose of relieving the distress which prevailed this winter among them. It would be much better if the hon. gentleman would turn his attention to relieving these unfortunate Indians, than attacking an Administration that had passed away.

Hon. Mr. LAIRD said the Indians in some parts of the Province had funds of their own. They had timber lands and received a revenue from them, over and above this Parliamentary grant. This was not the case in Nova Scotia, where the Indians had no funds or lands, and in this respect were less favourably situated than those of New Brunswick. The hon. gentleman was correct in saying that there had been some hardship among them this winter in consequence of the great depth of the snow, but this was an exceptional year.

Hon. Mr. MITCHELL was not prepared to assert positively, but his belief was that the funds derived from the lands owned by the Indians of New Brunswick went into the Public Treasury out of which this vote was taken. This was, no doubt, a very hard winter and he hoped the Government would aid the Indians who were dying from cold and starvation.

Hon. Mr. LAIRD said the Indian funds did not go into the General Treasury, but were kept for their own benefit. With regard to the distress among the Indians in New Brunswick it was not at all general, and as there was some of last years' appropriation, still on hand, he could see no necessity of increasing the vote this year.

Hon. Mr. MITCHELL said what he meant was that the Indians of New Brunswick, though they held lands and were more numerous than those of Nova Scotia received only $4,500—no more than the Indians of Nova Scotia, who were fewer in number and who had comparatively no lands. He did not object to the amount given to the Indians of Nova Scotia; what he did say was, that this appropriation was not enough for the Indians of New Brunswick, who were in great distress, and could scarcely keep themselves from perishing. He hoped that the Minister of the Interior would take steps to relieve their distress.

Hon. Mr. LAIRD said the Government could not be supposed to feed and clothe all the Indians. These appropriations were

for the purposes of education and for relieving cases of real want. To give aid generally to the Indians would be to encourage idleness. With respect to the funds owned by the Indians, they were not subject to the vote of this Parliament. The Indians had a right to their own money, and it was paid to them and the interest arising therefrom. In the Lower Provinces the Indians were not so highly favoured as in Ontario, and this vote was in some measure, making up for this deficiency. In Ontario the Indians relied entirely on their own funds, and there was nothing coming out of the Public Treasury for them.

Hon. Mr. MITCHELL said he must have entirely misunderstood the object of this vote. His impression was that it was distributed to the individual members of each tribe. What he wished to know was whether the funds arising from the Indian lands of New Brunswick were at their disposal in addition to this grant. If they were, he was satisfied.

Hon. Mr. VAIL assured the hon. member for Cumberland that there was money derived from the lands of the Indians in Nova Scotia.

Hon. Mr. MITCHELL said his statement was that it was very little as compared with the revenue from the Indian lands in New Brunswick.

Hon. Mr. VAIL said the fund amounted to a considerable sum at the time of Confederation, when it was handed over to the Indian Department.—The item was carried.

On item 153, relating to payments under the treaties with the Indians in the North-West,

Mr. MASSON suggested that the discussion on these items should be postponed until the papers relating to the recent treaty with the Indians were brought down. He had heard numerous complaints that the treaties entered into a year ago had not been carried out by the Government.

Right Hon. SIR JOHN MACDONALD suggested that the items not affected by these treaties could be discussed.

Hon. Mr. MACKENZIE said these papers could not affect these items. They were not gratuities to the Indians, but the money involved in a bargain and sale of property transferred by them to the Dominion.

Mr. MASSON said the conditions of the treaty made a year ago last fall had not been complied with, and he thought it was not asking too much of the Government to have these papers laid before the House before proceeding with the discussion.

Hon. Mr. LAIRD said that it had not been usual to bring down treaties which had not been made during the financial year, The treaty which had been referred to had been embodied in his report, which he expected to be able to lay on the table within one or two days. Its presentation had been delayed, owing to the preparation of a map in which all the lands proposed to be dealt with would be shown. He thought he would be able to satisfy the hon. member for Terrebonne, who had raised some objections, in regard to Treaty No. 3. The hon. member had visited the country when the Indians were complaining that the money which had been promised them had not been distributed. It was distributed, however, shortly afterwards. The articles which were also promised to the Indians were on their way to the North-West when the hon. member was talking with the Indians. The great distance which they had to be conveyed caused a considerable time to be occupied in their transportation, and they were distributed late in the season. Every effort had been made to carry out strictly the provisions of the treaty which had been made in the fall of 1873. It was provided that the reserves were to be selected by Commissioners sent to consult with the Indians. It was not deemed expedient that there should be two meetings, one to receive the treaty money, and another to meet for the selection of the reserves, consequently the distribution of money had been delayed for a short time, until Mr. Dawson, one of the Commissioners, was able to be present. Mr. Dawson was delayed two or three weeks at Fort William by illness, and he was not able to go forward so soon as he expected. Every point the hon. member for Terrebonne could bring forward the Government would be able to explain without the treaties being laid on the table.

Mr. MASSON said the complaints were not made to him at a time when the money had not been paid; the money had been

paid, but the articles promised had not been delivered, and there was no sign of their being delivered. The statement of the Minister of the Interior proved that the members of the House were unable to ascertain whether the Canadian Government had fulfilled their promises made to the Indians without knowing from the Government what those promises were, which could only be done when the treaties were laid on the table. The Indians complain that the engagement which the Government had entered into had not been carried out; so far from saying that the money had not been paid, they said that the money had been paid, but that all the articles promised had not been given, and that some of those which had been given were spurious. He knew, therefore, what the complaints of the Indians were for, but not being able to see the treaties made a year ago last fall, he could not say whether their complaints were just or not. If the Government promised that, before concurrence was taken, the treaties would be laid before the House, he would not offer further opposition at that stage.

Hon. Mr. MACKENZIE said that if the members of the Opposition desired the items for treaties 3 and 4, for which the Government were responsible, to stand over, he would offer no objection; but with respect to the other treaties, as the House voted payments last year, he must insist on those items being passed.

Hon. Mr. LAIRD was understood to say that medals had been distributed, the surface of which washed off with wear, but for that he was not responsible.

Mr. MASSON said he had never asserted that the Hon. Minister of the Interior was responsible for the distribution of spurious articles. He supposed somebody was responsible.

Sir JOHN MACDONALD said that if the late Government promised silver medals they were given; if plated ones, they were given.

Item No. 153, respecting treaties 1 and 2, was then passed. Nos. 154, 155 and 156, were allowed to stand.

M. CIMON :—Le comité me permettra de lui adresser la parole sur un sujet qui intéresse un certain nombre de personnes vivant dans le comté que j'ai l'honneur de représenter. Malheureusement je ne trouvais en dehors de la Chambre lorsque l'hon. Ministre de l'Intérieur a expliqué le but de ce vote d'argent. Je dois dire qu'il reste encore dans le comté que je représente, des vestiges de la fameuse tribu des Montagnais, si nombreuse autrefois et maintenant réduite à quelques familles. Le Gouvernement ne saurait vraiment leur montrer trop de sollicitude, et pour démontrer au comité qu'ils méritent l'intérêt que je leur porte, je demanderai la permission de lire une lettre que j'ai reçue de leur chef avant mon départ pour Ottawa, à l'approche de cette session. Cette lettre, ajoute l'hon. membre, contient quelques expressions sauvages, dont je laisserai la traduction à l'hon. Greffier de la Chambre.

RÉSERVE DES SAUVAGES,

TOWNSHIP OUIATCHOUAN,

23 Janvier 1875.

A—ERNEST CIMON, Ecr.,

Député à la Chambre des Communes par les Comtés unis de Chicoutimi et du Saguenay.

TIWAIEM MINO,

(Notre ami.)

Permets à de pauvres descendants de la tribu des Montagnais, autrefois si nombreuse et si puissante de t'exposer, en vue d'être soulagés par qui de droit, le triste état de misère dans lequel ils languissent surtout cet hiver. Depuis des années les chasseurs aux pâles visages ont envahi notre territoire de chasse, et en dépit des lois de notre bonne mère la Reine, ils ont fait cette chase de manière à détruire presque complètement les visons, les martres, les loutres, les castors et autres animaux à poils précieux. De plus, le souffle irrité du Grand Esprit a changé de grandes forêts en une mer de feu, et nos chasseurs se sont assis mornes et silencieux, en regardant leurs wigwams détruits. Cet hiver nous sommes revenus sans pelleteries pour vendre, et notre faim est grande. Notre bon ami, M. OTIS fait ce qu'il faut pour nous, mais il ne peut suffire à tous nos besoins. Toi dont le cœur généreux nous est connu, et qui va bientôt s'asseoir dans le grand *Wigwam* à Ottawa, tu parleras de la misère des pauvres Sauvages du lac St. Jean, au Gouverneur Général grand ami de la Reine. Tu lui diras que nous profiterons bien de la terre qu'ils nous a donnée pour semer, mais qu'en en attendant le printemps, nous sommes en proie à la faim, et que les larmes des femmes et des

enfants brisent le cœur du pauvre Sauvage. Dis lui que la terre de nos ancêtres, dont le nom comme hommes pacifiques est grand, ne voit que quelques *wigwams*, habités par la misères et la désolation. Parles lui, comme tu sais parler et notre prière sera écoutée de notre grand *Sachem*, (chef.) Tu écriras à notre bon ami OTIS que tu connais bien et qui doit aussi parler pour nous. N'oublie pas de saluer pour nous le bon Takœgan, et tous les *sachems* du grand Wigwan d'Ottawa.

—Eh ! bien, M. le PRÉSIDENT, on voit par cette lettre le triste état dans lequel se trouvent ces pauvres Indiens. Et la lettre que je viens de lire n'exagère aucunement le triste état dans lequel se trouvent les Montagnais, car j'ai moi-même été témoin de leur misère. Ces sauvages vivent de pêche et de chasse et n'ont rien autre chose pour trouver leur subsistance. Ne trouvant plus dans le voisinage du lac St. Jean les moyens de subsister qu'ils y trouvaient autrefois, à raison des empiètements de la civilisation et des progrès constants de l'Agriculture et de la colonisation ; à raison aussi de ce que les blancs font eux-mêmes la pêche et la chasse dans ces endroits, ils sont obligés de partir l'automne pour aller faire la chasse à deux ou trois cent lieux au Nord.

On constate souvent avec peiné qu'il meurt trente ou quarante de ces pauvres sauvages pendant la saison de la chasse. Si l'on considère que le Gouvernement Canadien retire des revenus toujours croissants des territoires autrefois habités par les sauvages et des pêcheries qu'il afferme, on sera porté à leur accorder généreusement ce qu'il faut pour leurs besoins. Je félicite le Gouvernement actuel d'avoir marché sur les traces du dernier Gouvernement, en donnant aux Indiens l'attention nécessaire et en leur votant certaines sommes d'argent. Mais il y a encore des progrès à faire. Cette année surtout le Gouvernement ne doit pas se montrer trop parcimonieux, car il est de fait que plusieurs Indiens du lac St. Jean sont exposés à mourir de faim cet hiver. Il serait très injuste, de notre part, de lésiner avec ces pauvres gens, après avoir hérité de leur pêche, de leur chasse et avoir succédé à leur ancien patrimoine. J'attire de plus l'attention du Gouvernement sur les sauvages qui demeurent à la Rivière Bethsiamites, où la misère règne aussi d'une manière affreuse, comme la lettre du Père LACASSE le prouve suffisamment. Je me permettrai de lire quelques extraits de cette lettre, qui contient ce qui suit :—

" Je vous dirais difficilement tout ce que la " position faite aux Mathémeuses tribus sau- " vages de notre endroit a de pénible. Tout " leur a été enlevée, à l'exception peut être de " leurs droits sur la rivière Bethsiamites qui " leur reste. En forme de compensation, le " Gouvernement envoie quelques faibles secours " aux veuves et aux orphelins de la tribu, mais " là se trouvent toutes ses faveurs et c'est abso- " lument insuffisant pour faire face à la misère " générale. Jusqu'ici nos pauvres sauvages se " sont montrés assez résignés à leur triste sort ; " mais aujourd'hui qu'ils souffrent plus que " jamais, ils perdent toute patience et s'agitent. " Ils nous demandent pourquoi le Gouvernement " ne tient pas avec eux ses promesses. On ne " leur a enlevé tout droit sur leurs nombreuses " rivières qu'après leur avoir donné l'assurance, " par l'entremise de Mgr. BAILLARGEON, et du " Révd. Père ARNAND, que le moitié du revenu " de l'exploitation de ces rivières leur revien- " dront annuellement.

" ..... Les plaintes cruelles de ces " pauvres sauvages, que la faim et la misère déci- " ment, devraient pourtant, ce semble, être " entendues de loin. Six des principaux de la " tribu de Wingan veulent, dans le désespoir, " partir pour Londres, et aller comme ils disent, " parler à la Grande Dame. Nous avons cepen- " dant adressé une demande au Gouvernement " au nom de ces infortunés. Ils sollicitent son " secours, parceque : 1°. on jouit de leurs " terres et de leurs revenus ; 2°. on ne leur " donne cependant aucune compensation pour " ces biens ; 3°. une épidémie a régné tout le " printemps dernier à Wingan. Les chasseurs " étaient étendus dans leurs cabanes souffrant " et n'ayant rien à manger. La rivière sura- " bondait de saumons à leurs pieds ; mais on " menaçait de la prison quiconque eût ôsé se " permettre d'en prendre un seul pour se " nourrir. Les choses aujourd'hui en sont " rendues au point qu'un hôpital construit sur " une bonne ferme leur serait plus utile que la " remise de leur rivière et de leurs droits de " pêche.....

" ..... D'après la loi " de Dieu, ces indigènes peuvent posséder ce " qu'ils tiennent de leurs ancêtres et n'oublions " pas que parce que celui qui la leur ravit est le " plus fort il ne s'en suit pas que cet acte ne " soit et ne reste point une injustice criante."

Il me semble, M. le PRÉSIDENT, que le Gouvernement ne fera qu'un acte de justice en accordant une allocation suffisante à ces pauvres malheureux. Le fait que souvent il en périt de cinquante à soixante chaque hiver dans les bois, faute de moyens de subsistance, en dit assez au cœur de chacun. Si le Gouvernemsnt leur aidait de façon à prévenir ces longues courses qu'ils sont obligés de faire pendant l'hiver pour gagner leur vie, ces malheurs ne leur arriveraient pas. Sous ces circonstances, j'espère que le Gouvernement fera tout ce

qu'il pourra pour alléger la misère de ces pauvres Indiens.

Hon. M. GEOFFRION—Si l'honorable membre qui vient de parler avait été présent lorsque l'hon. Ministre de l'Intérieur a expliqué l'item 149, il aurait vu que le Gouvernement était allé au devant de ses désirs, l'item en question est précisément demandé pour venir au secours des tribus qui se trouvent dans l'extrême besoin, et le Gouvernement a déjà expédié des secours à ceux dont l'hon. membre vient de représenter les besoins. L'hon. membre pour Chicoutimi ne nous donne pas souvent son approbation, et si nous pouvons l'obtenir cette fois, elle nous paraîtra d'autant plus précieuse qu'elle est plus rare.

M. CIMON.—Je suis satisfait des explications qui viennent de m'être données, et j'en remercie l'hon. Ministre.

M. BABY. — Je suggérerai à l'hon. Ministre du Revenu de l'Intérieur de traduire les compliments des sauvages à ses collègues anglais, et de faire transmettre leur réponse par l'hon. Député de Chicoutimi.

L'hon. M. GEOFFRION. — Nous sommes si peu habitués à recevoir des remerciements pour le bien que nous faisons, que nous nous contentons de faire le bien pour le bien, sans nous occuper d'en être remerciés.

M. MASSON.—C'est si microscopique!

M. GEOFFRION.—Quoi? L'Opposition?

Respecting the item of $4,500 for Indians in New Brunswick, which had been passed by the Committee,

Mr. COSTIGAN desired to offer some remarks. The late Government had appointed two Indian Commissioners for the Province of New Brunswick at salaries of $400 or $500. He did not think that the salaries of those officers were too large for the services they were called on to perform; but what he complained of was the fact that, while whenever the Indians made an application to the Government for assistance they continually received a statement in reply that there were no funds derived from their lands sufficient to enable the Government to give them any relief. Commissioners were appointed at high salaries derived from those same lands. The Government would do wrong if they continued those offices. The former Commissioners did the work without salary, and if the funds were sufficient to justify the Government to support two Commissioners and give them large salaries, those gentlemen who performed the duties gratuitously in past years were entitled to be considered when the new appointments were made. He had no fault to find with the Commissioner for the Western portion of New Brunswick, but it was inconvenient to have a Commissioner in Fredericton with whom the Indians at the North end of the Province had to do business.

Item 158, salaries and office expenses, $16,750 was adopted. On item probable expenses in connection with Indians in British Columbia, $25,000.

Mr. DECOSMOS asked what the Government intended to do in the administration of Indian affairs in British Columbia. Ever since the Union, promises had been made from time to time of a reform in that respect, but nothing had been done. One Commissioner sent out there was drawing his salary but was not doing anything. It had been the policy of the British Columbia Government, while he was a member of it at any rate, to give the Indians as much land as they could utilize and yet it was said that that Government was treating the Indians badly. He thought it was a great mistake for the Dominion Government to press upon the Local Government to grant the Indians a larger reserve than they could use.

Hon. Mr. MACKENZIE said it was well known that the scheme proposed by the late Government was to have three Commissioners appointed for British Columbia, of whom the Lieutenant-Governor was to be one, and that as there was a large number of both Protestant and Catholic missions, one of them should be a Catholic and the other a Protestant. The present Government had carried out that plan, but difficulties had arisen in reference to the Lieutenant Governor acting in the capacity of Commissioner, and he had not taken any active part in this matter. In the meantime two other Commissioners were on hand, and he had no reason to doubt the entire efficiency. The Indians of British Columbia had been in a state of chronic discontent the whole of last year, and he was bound to say that he did not wonder at it. He did not consider that they had been fairly used in the land matter. All the Dominion Government had asked the local Government to do was to place the Indians of that

Province on as good a footing in respect to the amount of land reserved for them as the Indians to the east of the Rocky Mountains, but according to the evidence which had been published—among other communications a letter of the English Church clergyman, who was a devoted missionary among the Indians in that Province, and also a letter by the Roman Catholic priest, who had also labored among them, and which letter had appeared in the British Columbia papers—and taking into consideration the fact that the Indians had on several occasions of late undertaken by violence to assert their rights, he was forced to the conclusion that there was chronic discontent among the Indians which might break out into a flame at any moment. The Dominion Government had therefore made strong representations to the local Government on the subject, and they had also communicated the documents relating to the subject to the Colonial Secretary, in order that, in case of a dispute arising out of it which should be referred to him, he would understand the case. The blame did not rest with the Dominion Government, but rested entirely with those who were seeking to impose upon the Indians, as he believed the Provincial Government were doing. If the Indians of that Province should assert their rights, as they might do, that Government would find themselves in very serious difficulties, for in no part of the Province had the Indians been even asked to extinguish their title to the lands, as they had been in other parts of the Dominion. The Indians were perfectly aware of what had taken place on the east side of the Rocky Mountains. They knew that their brethern in the other parts of the Dominion had been bargained with and paid for their lands, while they had received nothing except from five to ten acres per family, the Indians in the other parts of the Dominion receiving eighty acres per family. The money that this House had voted in any one year was more than the entire sum paid by the British Columbia Government during the entire time of its existence for the benefit of the Indians, and yet the hon. member for Victoria had endeavored to cast blame on the Dominion Government for not dealing liberally with the Indians.

Mr. DECOSMOS said he cast as much blame upon the late Government as upon the present one. Both Governments had neglected their duty. He heard last session that they intended to do this and that, but up to the present time he was not aware that they had done anything. The best proof that could be given of the manner in which the Indians of British Columbia had been treated by the Provincial Government was the words of the Premier himself. He had stated that since the Union the Dominion Government had expended more money in the Indian Department of British Columbia than was spent during the whole previous history of the Province. That showed that the Provincial Government knew how to manage the Indians, and it was only since the management of Indian affairs came into the hands of the Dominion Government that discontent had arisen. He strongly urged the necessity of steps being taken to prevent the sale of intoxicating liquors to Indians, and also to establish schools amongst them, and model farms where they might learn how to carry on agricultural pursuits. With respect to a letter which had been written by a reverend gentleman, he might say that he could easily understand that in the district where that reverend gentleman resided there might be some desire on the part of the Indians to get more land for grazing purposes, and he was not aware that the Government of British Columbia had any objection whatever to give them more land for that purpose.

Hon. Mr. MACKENZIE said that the Provincial Government had absolutely refused to grant the Indians lands equivalent to those held by Indians elsewhere, One of the missionaries laboring amongst the Indians in that Province had told him that when he called upon the Local Government and had a long discussion with them as to what they proposed to do, he was finally told by one of the members of the Government that they intended to act upon the motto, "Let him take who has the power, and let him keep who can." This was not the principle the Indians themselves acted upon, or else the whites of British Columbia would have had more trouble in the settlement of that country. The hon. member for Victoria had stated that the Indians had only become discontented after that Province had been joined to the Confederation, but he would assure that hon. gentlemen that the evidence very

clearly established that there was great discontent before the Union, and that discontent was wholly on account of the local mismanagement of the affairs in connection with the reservation of land to the Indians. The Local Government might depend upon it that until the grievances of the Indians were removed and they were allowed to obtain a fair share of the land they could not expect to have peace and quietness. No white people would submit to the usage that the Indians had received, and they could not expect the Indians to submit to it. He had no doubt that the Indians would be satisfied with what had been done by the Dominion Government in the direction of securing them their rights.

Mr. DE COSMOS said that all that the Dominion Government was bound by the Act of Union to do, was to treat the Indians of the Province as liberally as the Government of British Columbia was accustomed to do before the Union, and in case any dispute should arise with respect to the Indian lands it was to be referred to the Colonial Secretary.

Hon. Mr. MACKENZIE—It has been referred.

Mr. DE COSMOS proceeded to say that the quantity of land given to the Indians previous to the Union, did not exceed ten acres for each family, and yet the Dominion Government now wanted the Local Government to give them eighty acres. If the Dominion Government wanted any more land for the Indians they could purchase it.

Hon. Mr. MACKENZIE—We do not intend to purchase land for that purpose, but we will probably require that the Columbia Government shall extinguish the Indian title.

Mr. BUNSTER contended that the Commissioners sent up to British Columbia were not fitted to perform their duties. They did not understand the Indian language, and when the Indians would go to them, they could get no satisfaction. There were plenty of men in British Columbia familiar with the Indian language who would have been well fitted to fulfil the duties of Commissioners.

Hon. Mr. LAIRD said that the dissatisfaction of the Indians arose entirely out of the land question, and until that was settled the Commissioners could do very little. He understood that the leading Commissioner was a medical man and was very popular among the Indians, and had been the means of conciliating them when their discontent might have taken a serious form. The principal objection to the other Commissioner was that he did not belong to British Columbia, but that objection was not made by the Indians, who were, he believed, well satisfied with him. The hon. member for Victoria was mistaken in saying that the Commissioners had done nothing, as he (Mr. LAIRD) was aware of the contrary. It was the intention of the Commissioners to go through the Province and organize the Department, establishing agencies and schools, and aiding the Indians in agricultural pursuits, but it was impossible to do anything in that direction until the Indians knew where their reservations were to be. The hon. member for Victoria had stated that the British Columbia Government gave the Indians all the land they could utilize. That might have been the case years ago, when ten acres to a family was enough for agricultural purposes, because game was plentiful and the Indians had plenty of hunting grounds. But that state of things had, to a great extent, changed, and the Indians now required a much larger reserve. However, the British Columbia Government had not, so far, given the Indians more than ten acres to a family. He (Mr. LAIRD) contended that eighty acres for each family was not too much, and he thought the Local Government had not acted fairly with the Indians in restricting their reserve to ten acres to a family. With respect to the Indian Boards he must admit that they had not been entirely successful either in Manitoba or British Columbia. In both Provinces the Lieutenant Governors did not care to act upon the Boards, and the Government had not pressed them. In the meantime they were endeavouring to make other arrangements to carry out the organization of the Department in British Columbia, and it was probable they would have to establish the system adopted in Ontario; that was, to divide the Province into superintendencies and appoint a superintendent over each district. The present system of an Indian Board was the suggestion of the late Mr. Howe, and it was thought the best system that could be adopted, on account of the difficulty of communicating

with that distant Province. However, as we were likely soon to have telegraphic communication with British Columbia, through our own territory, the necessity for an Indian Board had, in a great measure, ceased. and as it had not been very successful, the Government had under consideration the expediency of abolishing it and appointing superintendents instead.

Mr. BUNSTER expressed astonishment at the remarks of the hon., the Minister, and insisted that the Government of the Dominion had been altogether to blame for the injustice done to the Indians, inasmuch at they had never taken possession of the land which the Government of Columbia was keeping in trust for them. The Commissioners, he repeated, did not understand the Indians, who were the best class of the aborigines in this country. He did not appear as the advocate of the Local Government, for he had been an opponent of theirs. but he would not see any injustice done them, and he thought it most unjust to blame them for not giving away lands which were not theirs to give. He hoped the Dominion Government would take possession of these lands, and distribute them, and he also hoped that they would otherwise fulfil the terms of Union which gave them the right to the possession of the land. The hon. gentleman, he thought, was in error in accusing the Local Government in breaking faith with the Indians.

Mr. DECOSMOS said he could not coincide with the hon. gentleman, who had just spoken in the sweeping charge of incompetency made against the Agent. So far as Dr. BOWELL was concerned he (Mr. DECOSMOS) had no fault to find. The prineple objection he had to the others was, that there were men in the Province who were just as well fitted for the duties as they, but under the proposed new arrangement he thought they might probably do their work more satisfactorily.

The item was then carried.

On item 160, $2,000, probable expenses with Indians in Prince Edward Island,

Hon. Mr. MITCHELL said he would expect the hon. gentleman to furnish the House with some details as to the relative number of Indians in Prince Edward Island, New Brunswick and Nova Scotia. His own impression was that in Prince Edward Island and Nova Scotia the grant given was too large in proportion to the number of the Indians, as compared to the grants given in New Brunswick. He would, also, ask the hon. gentleman to say whether the sum derived from timber lands in New Brunswick was expended on behalf of the Indians of that Province. The item was carried.

Item 161 was passed without discussion.

On item 162, to provide for surveys of boundary between British Columbia and the United States, $100,000,

Hon. Mr. CARTWRIGHT said this was a new vote, the object of which was to provide for the survey of the boundary between Alaska and Canada. The government hoped it would not be neccssary to expend the whole of it, but it was well to have sufficient on hand if it should be required.

Right Hon. Sir JOHN MACDONALD asked if any negotiations were going on with respect to this boundary.

Hon Mr. CARTWRIGHT replied that communications were now going on through Sir EDWARD THORNTON with the United Sta'es government, and it was hoped that some settlement would be arrived at which would enable this government to dispense with the expenditure of the large amount asked for. The Alaska coast was very intricate, and there was no doubt the running of a line on the ridges of the mountains would be very expensive. It was with a view to effect a saving in this respect that these negotiations were now going on.—The item passed.

Items 163 to 166, inclusive, were passed without discusison.

On item $12,000 commutation liens of remission of duties on articles imported for the use of the army and navy.

Right Hon. Sir JOHN MACDONALD asked why there was an increase of $2,000.

Hon. Mr. BURPEE said the amount hitherto allowed was $50, which was not sufficient. Representations were made by the officers at Halifax to that effect, and this increase was allowed,

Hon. Mr. TUPPER—In point of fact this $2,000 increase is in consequence of the recent increase in the duties.

Hon. Mr. CARTWRIGHT—Partly that and partly in consequence of the increased cost of living in the last few years.

Hon. Mr. MITCHELL said the government should have made enquiries in order to ascertain whether this increase was necessary before making it. The sum was not large, but the principle of making an increase on the representation of these gentlemen was a bad one.—The item passed.

One item, 168, miscellaneous expenses in the North-West, not otherwise provided for, $33,800.

Right Hon. Sir JOHN MACDONALD asked why there was an increase of $23,-800,

Hon. Mr. CARTWRIGHT said as a bill was soon to be brought down giving this information in detail, it would be better to let the item stand.

The Committee rose and reported the resolutions.

The House adjourned at ten o'clock.

HOUSE OF COMMONS,

Tuesday, 23rd February, 1875.

The SPEAKER took the chair at three P.M.

EXTENSION OF TIME FOR RECEIVING PRIVATE BILLS.

Mr. RYMAL moved that the time for receiving petitions for Private Bills be extended two weeks and the time for receiving Private Bills and Reports thereon for a like period.

Hon. Mr. HOLTON said it was usual to give some extension of time in the early stages of the session, but he would invite his hon. friend the leader of the House, to state explicitly that this was the only extension to which he as leader of the House would give his consent. The practice of bringing forward private bills at a very late period of the session when it was quite impossible to give them the consideration which their importance frequently demanded, was one which he thought should be put an end to. The notices given according to the rules of the House meant something or they meant nothing. If they meant anything there was no reason in the world why applications for private bills should not be before the House within the prescribed delay. His own experience in one of the leading Private Bill Committees of the House had led him to the conclusion that it was utterly impossible to bestow the care and deliberation absolutely required in the interests of sound legislation upon bills which were hurried in under a suspension of the rules during the last days of the session. He would therefore urge his honourable friend to resist any application which might be made hereafter for the suspension of the rules, thus doing away with those conditions with which the House had surrounded Private Bill legislation.

Sir JOHN A. MACDONALD hoped the Premier would think twice before he accepted the suggestion of the hon. member for Chateauguay. Private Bill legislation was not a matter of political importance. it was not a matter of party politics, and it was not necessary that the whole power of the Government need be invoked to prevent the extension of time under any circumstances. He had no doubt that the Premier would take care that the interests of every one affected by any Private Bill should be protected. He (Sir JOHN) would be very sorry to see a cast-iron rule adopted which would prevent the introduction of a Private Bill after the usual time had expired, no matter how urgent it might be. The question of the extension of the time might be safely left to the Premier and to the majority of the House.

Hon. Mr. MACKENZIE said there was a good deal of conversation upon this subject during the last three sessions, consequent upon the repeated introduction of motions to suspend the rules. The extension of time, if reasonable, was not in itself objectionable; but still it was not desirable to have Private Bills introduced suddenly, at a late period of the session, when it was impossible to give them due consideration. It would not be well to prohibit by absolute rule under any circumstances the introduction of a private bill after the delay fixed by the rules, because cases of urgency might arise in which the House would be unanimous in desiring to extend the time; but he thought the extension of time once asked for by the committee should not be exceeded.

Hon. Mr. HOLTON said this continual prolongation of the time during which private bills might be received was equivalent to an abrogation of the rule of the House. If it was the sense of the House that the rule should be abrogated, he had not a word to say, but if it was important

that the rule should be enforced, it should be enforced, or it would lose its value. Last session, as chairman of one of the principal Private Bills Committees, he found it impossible to give due consideration to very important bills introduced at a late period of the session, under a suspension of the rules, and on examination of the statute book he found clauses in private bills which had not, and could not have had, under the circumstances. the consideration they deserved. It is therefore in the interest of sound private bill legislation for which the leader of the Government was equally as responsible as he was for public legislation, that he made the suggestion he had offered to the Premier. Under our system we must hold the Government responsible for the whole legislation of the country. In private bills it not unfrequently happened that clauses were introduced affecting *quoad* particular interests the public law of the country, and in respect to these Bills the Government must be held responsible.

Right Hon. Sir JOHN MACDONALD said his hon. friend carried this responsibility further than it was carried in England, where the Government was not held responsible for private legislation. The hon. gentleman spoke, also, of this extension of time as an abrogation of the rules of the House, but it would be admitted that the rules might sometimes be abrogated with great advantage. The hon. gentleman, for instance, had spoken twice on this subject, which was an abrogation of the rule, but still a very great advantage to the House.

Mr. RYMAL said it was perfectly regular for the Committee to recommend a suspension of the rule, and, considering the fact that this session had commenced some six weeks earlier than usual, the recommendation should be adopted,

Hon. Mr. BLAKE said the early meeting of the House furnished an ample justification for the suspension of the rules, and it would be very improper to refuse it, but he thought the remarks of the hon. member for Kingston ought to make the House all the more alert in maintaing the rules since the Government were not responsible for private legislation. Numbers of private bills were in effect largely public bills. Take for example two cases of the previous session. Numerous bills relating to banks were settled by a public bill, and in the same manner bills relating to building societies were brought under a general act. In both these cases the government were responsible for the legislation. He suggested that the House should determine upon a certain time within which petitions could be received, and adhere rigidly to that, only extending the time in special cases where the committee were satisfied that such extension should be granted. No general extension should in future take place.

Hon. Mr. MACKENZIE said the remarks made by the hon. member for South Bruce were particularly in point with reference to the legislation of last session. Two bills relating to building societies came in late in the session and it was utterly impossible from the lateness of the season and the anxiety of members to leave, for the government to give them the consideration they should receive. He felt that for these, at least, the Government had a direct responsibility that they could not shake off.

The motion was carried.

BILLS INTRODUCED.

The following bills were introduced and read a first time:—

Mr. IRVING—Act respecting the International Bridge Company.

Mr. JETTE—Bill to amend the several acts incorporating and relating to the Richelieu Company and to change its name.

Hon. Mr. CARTWRIGHT—Act to amend the act respecting banks and banking. He explained that the object of this bill was to amend the schedule in which one particular bank, which had become insolvent, appeared regularly every month.

Mr. JETTE—A Bill for the incorporation of the Royal Mutual Life Assurance Company of Canada.

THE SUPREME COURT.

Hon. Mr. FOURNIER moved for leave to introduce a bill which had been announced in the Speech from the Throne —an Act respecting the establishment of a Supreme Court. He said that a Bill on this subject had been announced on four occasions. The hon. leader of the Opposition had, in another debate, alluded to the numerous difficulties that had pre-

sented themselves in the preparation of such bill, and stated that he had given his best attention to the preparation of a measure of that kind. Had it not been that such an amount of valuable labour had been bestowed upon the preparation of a Supreme Court bill, he would have felt diffident in undertaking the task. Some features of the present Bill bore on their face a relationship to the features of the Bill of the hon. member for Kingston, and it should, therefore, secure his tender mercies. The very first difficulty met with in the preparation of the Bill was in writing the first word of it. It was a Bill creating a Court of appellate jurisdiction. Should that Court have a jurisdiction of appeal arising out of Local laws as well as out of Federal laws? That was one of the important questions which he had been compelled to consider in the preparation of the measure, and he felt bound to say that the opinions of men whom he highly esteemed differed on this point. Article 101 of the British North America Act said, "The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance and organization of a General Court of Appeal for Canada, and for the establishment of any additional Courts for the better administration of the laws of Canada." He understood the Federal Parliament was thus given the power to establish a Court of appellate jurisdiction. If these words "notwithstanding" &c., did not apply as an exception to the power given to the Local Government of establishing Courts of Justice, they would then mean nothing. This power was evidently given in view of the existing Provincial tribunals, because there was no other tribunal from whose decision an appeal might be taken. If it were not so, the clause would have been written otherwise. Tribunals of original instance would have been first established and then the power of establishing a Court of Appeals would naturally have followed It appeared, moreover, from a perusal of the concluding portion of that article that power was given to create additional Courts. The Court would have appellate civil and criminal jurisdiction, in cases of *habeas corpus*, of extradition and in constitutional cases. The Bill also provided for the creation of a Court of Exchequer. Some objection had been made to one of the Bills presented by the hon. member for Kingston for the reason that it gave to the Court of Appeal an original jurisdiction. He would avoid that difficulty by creating two Courts, one of appellate jurisdiction, the Supreme Court of Appeal; and another, a tribunal of the first instance, composed of the same members but being a totally different court. There was ample authority for adopting that course, and he found it in clause 101 of the Constitution. It was proposed to give the Judges of the Supreme Court the same rank as the Chief Justices of the Provinces, the Chief Justice of the court having rank and precedence over all other Judges. The proposed number of Judges was six, which some thought too large a number, and some persons thought five would be a satisfactory number. He thought, however, that six would be a satisfactory number for the present. When the Superior Court of the United States was first organized, it was composed of six Judges, though the number was subsequently increased, and at that time their population was about the same as ours. There would be two court terms, but as power had been given to it to adjourn from time to time, the court would be, practically, constantly in session. All the clauses from 18 to 49 were especially in relation to appellate proceedings. The 50th clause gave the Supreme Court appellate jurisdiction in controverted election cases, for if the law was to be interpreted by the courts of the different provinces, much difference would prevail.

Some alterations had been made in regard to cases of extradition, and some additions relating thereto, so far as the Province of Quebec was concerned. The following was the clause of the Bill referring to the subject:—It was very important to have these cases adjudicated upon by the highest tribunal of the country, because it involved correspondence with foreign countries on treaty matters.

"Any person convicted of treason, felony, or misdemeanour, before any Court of Oyer and Terminer or Gaol Delivery, or before the Court of Queen's Bench in the Province of Quebec on its Crown side, whose conviction has been affirmed by any Court of last resort, or in the Province of Quebec by the Court of Queen's Bench on its appeal side, or any person in custody within the Dominion of Canada, whose extradition is claimed in pursuance of any

treaty and whose application for discharge on a writ of Habeas Corpus *a l subjiciendum* has been refused, may appeal to the Supreme Court against the affirmation of such conviction or the refusal of such application, and the said Court shall make such rule or order therein, either in affirmance of the conviction, or for granting a new trial, or otherwise, as the justice of the case requires, and shall make all other necessary rules and orders for carrying such rule or order into effect, anything in the eightieth section of the Act. passed in the Session held in the thirty-second and thirty-third years of HER MAJESTY'S Reign, chapter twenty-nine, to the contrary, notwithstanding: Provided that no such Appeal shall be allowed where the Court affirming the conviction is unanimous, nor unless notice of Appeal in writing has been served on the Attorney General for the proper Province, within *fifteen* days after such affirmance or refusal."

He believed that this provision would be acceptable to the whole House. It was also desirable that some means should exist of setting right questions of law arising out of the execution of treaties with foreign countries. As would be seen from the 53rd clause of the Bill, the judgment of the Supreme Court, in all cases, would be final and conclusive. Hon. members would observe that on the question of appeal to the Privy Council, he had thought it better to make no provision in the Bill. Parties desiring to avail themselves of the right could address HER MAJESTY'S Privy Council by petition, and have their cases heard. He had omitted alluding to the subject purposely, because, while he did not desire to put any unnecessary obstacle in the way of exercising the right of petition, he wished to see the practice put an end to altogether. In view of the law recently passed in England, which was intended to have come into effect on the 1st November, 1874, but the operation of which had been postponed up to 1st November next, establishing a Supreme Court of Judicature, he thought the realization of his desire in respect to this matter was likely to be fulfilled. Under this law the jurisdiction of the Judicial Committee of the Privy Council would be transferred to the Supreme Court of Judicature sitting in London. He did not think the right of appeal would not then be prized so much as it was now, because the new court in London would be a court of law, and not as the Privy Council is, a court of prerogative. He would like very well to see a clause introduced declaring that this right of appeal to the Privy Council existed no longer. There were very strong reasons in favour of the right of appeal to the Privy Council, but the reasons against it were still stronger. The right of appeal had been rather extensively used, and he might add, considerably abused in the Province of Quebec, by wealthy men and wealthy corporations to force suiters to compromise in cases in which they had succeeded in all the tribunals of the country. However, as he had already said, he had made no mention of the matter in the bill now before the House, but left it to be disposed at some future time. Clause 54 gave the Judges of the proposed Supreme Court jurisdiction in *habeas corpus* concurrently with the Judges of the several Provinces. In that portion of the bill referring to constitutional matters, he had preserved two of the clauses of the measure introduced by the right hon. member for Kingston. The first clause in reference to this subject—clause 55—provided that the Governor-in-Council might direct a special case to be laid before the Court for its opinion. Clause 56 gave the right to any Province, or any other interested party, thought fit to appear before the Court and be heard in any such case, but the decision rendered by the Court would not bear the character of a judgment, it would merely have its moral weight in assisting the Government to arrive at a determination. Clause 57 extended this reference to the other cases at the pleasure of the Governor-in-Council. As to the portion of the Bill relating to special jurisdiction, it was framed in order to satisfy a very generally expressed public desire that there should be some court which would settle the extent of the powers of Local Legislatures when these powers were in dispute. No one doubted, however, that under the constitution it was not in the power of this Parliament to give jurisdiction to such a court to try constitutional questions. As a matter of fact, the only power which could be conferred upon the court properly was to try appeals from the decisions of courts of original jurisdiction. A Justice of the Peace had as good a right, according to the constitution, to try constitutional questions as would the Judges of the highest existing courts, but it was obviously proper nevertheless that the trial of such cases should be in the hands of the highest tribunal in the land. Acknowledging his

inability then to prepare a clause which could constitutionally confer the power of trying such cases upon the court directly he had resorted to the expedient of providing that, by the consent of the Provincial Governments concerned, decisions given by the Supreme Court would have their effect in the cases mentioned as fitted for reference to it. It had been suggested that the Imperial authorities should be asked to amend our constitution in this respect, but even with their assistance the change could not be made unless consented to by all the Provinces interested. He felt pretty sure that all the Provinces would not consent, for, as an example, be found that a petition had been filed from New Brunswick protesting against the measure introduced by his right hon. friend the member for Kingston, and if the Imperial authorities were appealed to they would answer, as they have already done under such circumstances, that the Canadian Federal compact could not be altered without the consent of all the parties thereto. The constitution could only be altered with the consent of the Local authorities, and he thought the simpler way would be to make the adoption of these clauses of the Act a matter of choice with the Local Governments. If they adopted it, they would reap its advantages, and if they did not, they would occupy exactly the same position as they did at present. But, then, the Government would have the advantage of referring constitutional cases, as provided in clauses 55, 56 and 57. He would read over the clauses of the Bill bearing upon this subject, as follow :—

"When the Legislature of any Province forming part of Canada shall have passed an Act agreeing and providing that the Supreme Court shall have jurisdiction in the following cases, viz.:—(1st) Of controversies between the Dominion of Canada and such Province; (2nd) Of controversies between such Province and any other Province or Provinces; (3rd) Of suits, actions or proceedings in which the parties thereto by their pleadings shall have raised the question of the validity of a Provincial or Dominion Act; (4th) In any case in which any Superior Court of original jurisdiction in common law or equity in any Province, or any judge of such Court sitting alone in such case, after having heard the parties, declares that in the opinion of such Court or judge the proper decision in such case cannot be given without considering some Dominion or Provincial Act or some part thereof to be unconstitutional; then this section and the three following sections of this Act shall be in force to all intents and purposes.

"The procedure in the cases firstly and secondly mentioned in the next preceding section shall be in the Exchequer Court, and shall, unless otherwise provided for by general rules made in pursuance of this Act, be regulated by the present practice of HER MAJESTY'S Court of Exchequer at Westminster, as far as the same may be consistent with the provisions of this Act, and an appeal shall lie in any such case to the Supreme Court.

"In the case thirdly mentioned in the next preceding section but one, the parties shall, notwithstanding, proceed to hearing and trial, according to the ordinary rules of procedure in the Province wherein the case is pending; and if the trial is before a jury, the verdict shall be taken; but no final judgment will be rendered in such case by the Court or Judge before whom it is pending, whose duty it shall then be, on the application of either of the parties, to order that the case be removed to the Supreme Court, to be heard and decided upon the question so raised, and it shall be so removed accordingly; and after the decision of the Supreme Court, the said case shall be sent back, with a copy of the judgment on the question raised, to the Court or Judge whence it came, to be then and there finally adjudicated upon as to justice may appertain.

"In the case fourthly mentioned in the next preceding section but two, where the validity of a Dominion or a Provincial Statute shall not have been raised by the parties, but in which the Court or Judge is of opinion that the proper decision cannot be given without considering a Dominion or a Provincial Act to be unconstitutional, it shall be the duty of the said Court or Judge to make and fyle of record a declaration in writing, stating the reasons for considering such law as unconstitutional; and after the fyling of such declaration, the case, at the diligence of either party to the suit, shall be removed to the Supreme Court, to be there heard upon the question raised, and after the decision of the Supreme Court, the said case shall be sent back, with a copy of the judgment, to the Court or Judge whence it came, to be then and there finally adjudicated upon as to justice may appertain.

"The next three preceding sections apply only to cases of a civil nature, and shall take effect in the cases therein provided for respectively, whatever may be the value of the matter in dispute, and there shall be no further appeal to the Supreme Court on any point decided by it in any such case, nor on any other point unless the value of the matter in dispute exceeds one thousand dollars."

It will be seen by these clauses that if, for instance, in a case before a Justice of the Peace, in an action for illegally selling liquor, in which the constitutionality of a local law would be raised (as some doubts seem to exist about the constitutionality of some of these laws,) that the evidence would have to be received and the case heard with the exception only that judgment could not be rendered on such questions, it would be the duty of

the Judge to refer the case to the Supreme Court for adjudication on the constitutional question. It will be the same in civil cases tried before a jury. Evidence would be received and verdict taken, but the constitutional question would be reserved for the Supreme Court. One objection was that in cases involving a larger amount than $1,000 there might be two appeals, one on the constitutional question and the other on the merits of the case afterwards, but such appeals would be very rare, because when one case would have been decided it would serve as a precedent and become the law of the Dominion. There would be no similar case brought again before the Supreme Court. With the right of appeal this Court would have jurisdiction in revenue cases. To a certain amount the jurisdiction would be exclusive but under it would be concurrent with the other Courts. Finally there were general provisions for the appointment of Registrars and other officers necessary for the Court. These were the principal features of the Bill with the details arranged in order to suit the object thereof in so far as he had been able to effect this. The measure was certainly of the greatest importance. It had been mentioned in the Speech from the Throne four times, and this was the third Bill that had been submitted to the House. Every one admitted that it was very important that the Federal Government should have an institution of its own in order to secure the due execution of its laws. There might perhaps come a time when it would not be very safe for the Federal Government to be at the mercy of the tribunals of the Provinces. He believed this to be an anomaly contrary to the spirit of our Constitution. It was not necessary for him to add any remarks concerning the importance of the measure, because every member was aware of it. He resumed his seat expressing the hope that the House would give its most careful consideration to the bill irrespective of party. Every one he believed would admit that it was not a party measure, and think it his duty to assist in carrying a good law which had for its sole object the harmonious working of our young construction.

Right Hon. Sir JOHN A. MACDONALD said by the courtesy of the Minister of Justice he had received an advance copy of the measure, and had been able to follow him in his very interesting speech on this occasion. He (Sir JOHN) was glad that the measure of the late Government had been of service to the hon. gentleman. He could quite understand and appreciate, as he was sure the whole House would appreciate, the desire of the hon. gentleman that this bill should be considered apart from party views, since its object was the establishment of a court of jurisdiction for dealing with litigation affecting all subjects and all parties. In the first place he did not intend to follow the hon. gentleman in all that he had said. His hon. friend had gone very carefully and elaborately into the different divisions of this measure, and the House would have a better opportunity of considering it on the second reading and for full discussion of all the clauses in Committee of the Whole. He quite agreed with the views of the hon. gentleman that this Court of Appeal, when established, would be a Court of Appeal for Canada —a court that could entertain appeals from the decisions of all the Provincial Courts, whether such decisions were based on Provincial laws, or laws of the Dominion. He knew there was one authority in this House who had a contrary opinion, and that authority was one that he greatly respected, and he was always sorry to differ from, but he (Sir JOHN) was fortified in his opinion by the views entertained by the Minister of Justice and the Government. He believed the logical and grammatical construction of the term "Court of Appeal" made it a Court of Appeal from all tribunals in this Dominion. The hon. Minister of Justice had pointed out one distinction between the Bill of the late Government and this. It was this, that the latter established here a Supreme Court which was a court of appellant jurisdiction as well as an Exchequer Court. He (Sir JOHN) was free to admit that this was an improvement for it avoided any disputes as to jurisdiction. The hon. gentleman would remember it was the intention of the Bill which he (Sir JOHN) had the honor to lay before Parliament that it should be a Supreme Court having an Appeal Court, and an Exchequer side; but he thought, on the whole, there should be two Courts as provided for in this Bill. He would

wait until the Bill was further advanced before making up his mind as to the number of Judges necessary. The House would be very glad to hear the views of the hon. gentleman on this point, and to know why he fixed upon six and preferred that number to five or seven. After giving the question careful consideration he (Sir JOHN) thought on the whole, seven was not too many. It will be remembered, however, that in his Bill, it was proposed that the Supreme Court Judges should be the Judge who should try all cases of controverted elections. He thought perhaps it would be found by and bye that this jurisdiction must be conferred upon the Judges, and if they were to believe the English newspaper reports the number of controverted elections was growing very rapidly in the Mother Country, and the avenues of justice would be obstructed very much. The Minister of Justice had a Bill before the House compelling the Judges to sit *de die in diem* whatever might be their ordinary duties in their own Provinces, and the litigation in their own Courts. However, that was a matter that time would settle, and he did not doubt that, hereafter, if representations should be made from the different Provincial Courts that the ordinary administration of justice was being interfered with very much by this jurisdiction being thrown upon them, the Supreme Court Judges would be made available. At first he imagined that the duties of these Judges would not be onerous, that is to say, their time would not be so fully occupied as the other Judges, and they might probably be found available to try controverted elections originally instead of simply in appeal. The clauses concerning the constitutional questions to be submitted to these Judges would, of course, require the gravest consideration. He saw from the remarks of his hon. friend that he was fully impressed with the importance of these clauses and the necessity of their being fully considered and of seeing that they did not in any way infringe upon our constitution or erect any Court which would in any degree over-ride the Parliament of Canada. So far as he understood his hon. friend, these clauses were principally for the purpose of informing the conscience of the Government, just as the Judicial Committee of the Privy Council might be called upon by HER MAJESTY to give their opinion upon certain questions. He supposed that the new Supreme Court Act in England contained similar clauses. As to the two or three new clauses on the subject which the hon. gentleman had discussed at some length, they were so important that he would claim the liberty of reserving his opinion. As regards the question of appeal to the Privy Council, he had always held the opinion that as long as we were a dependency it was of importance that the right of every Canadian, as of every other British subject, to appeal to the Court of the highest jurisdiction should be preserved, though he was free to admit that sometimes this appeal was made the means of oppression in the case of a rich man against a poor man, on account of the great expense attending it. It seemed to him that it would be severing one of the links between this country and the Mother Country if the right of appeal were cut off ruthlessly. That, however, could only be done by Imperial statute. There was a good deal in what the hon. gentleman had said that the new Supreme Court in England was not a prerogative Court like the Judicial Committee of the Privy Council. Still that Court was designed by the Imperial Parliament to have all the functions by substitution which the Judicial Committee of the Privy Council had. In fact by the Act the Prerogative Court had been made statutory and conferred upon the new Court. As to the other details of the Bill they seemed to be very carefully considered, and he had no doubt that the hon. gentleman would receive from this side of the House any suggestions as to those details in the same spirit in which he had addressed the House in introducing the Bill.

The Bill was then read a first time.

STATISTICS.

Hon. Mr. TUPPER said before the Orders of the Day were called he desired to draw the attention of the Premier to a point in which the Government in this House seemed to entertain a different opinion from the Government in the other end of the building. It would be in the recollection of the House that the member for South Waterloo offered a motion to refer the question of procuring statistics to a Committee which at the suggestion of the Premier was with-

drawn. It would be noticed that in the other end of the building the Government had agreed to the appointment of a Committee to enquire into this subject.

Hon. Mr. MACKENZIE said the hon. member for South Waterloo had proposed to refer the subject to a Committee of the Whole, while in the other House the motion was for a special Committee which was quite a different thing.

Hon. Mr. TUPPER said the object of the member for South Waterloo was to obtain the assistance of members of the House in considering the very important question of statistics. The hon. gentleman was met by the statement from the First Minister that in the present position of the question he (the Premier) did not consider the House could assist them, that the Government had the subject under consideration, and that it would be better to leave it in their hands. The House agreed to that view, and the motion was withdrawn. He was therefore somewhat surprised to learn that a motion having been made in the other end of the building to refer the same subject to a a Committee, the gentleman who represented the Government there had stated that the Government desired the assistance of a Committee on the subject.

Hon. Mr. MACKENZIE said he had not the slightest objection to the hon. member for South Waterloo receiving a Special Committee on the subject, but that hon. gentleman had proposed to refer it to the Committee of the Whole, and he (Mr. MACKENZIE) had stated that he could see no object to be gained in taking that course, inasmuch as no result could be accomplished by it further than obtaining a discussion. If his hon. friend desired a Special Committee the Government would be very glad to have its assistance.

Mr. YOUNG said he had withdrawn his motion on the understanding that the Government had the matter under consideration, and he supposed that they intended at a future time to propose some scheme to place our statistics upon a better footing than they were at present. He knew that ultimately the matter would have to be dealt with by the Government, and therefore he was perfectly satisfied to leave it in their hands.

Hon. Mr. Tupper.

MILITIA AMENDMENT ACT.

Hon. Mr. VAIL moved the second reading of the Bill to amend the Act respecting Militia and Defence.

Hon. Mr. MITCHELL asked if this Bill would increase the militia expenditures.

Hon. Mr. VAIL said said the increase would be very trifling. The chief amendment proposed was to place the militia of the country under a Major General instead of a Deputy Adjutant General, with, he thought, about the same salary.

Hon. Mr. MITCHELL objected to the enormous expenditure incurred for militia purposes, and when concurrence in the militia estimates came before the House, would take the opportunity of giving expression to his views on that subject.

Hon. Mr. VAIL said the expenditure now was only about a million, whereas under the late Government, of which the hon. gentleman was a member, it was a million and a-half.

Hon. Mr. MITCHELL—Last session I declared my opinion that half a million was as much as should be expended.

Hon. Mr. VAIL—The hon. gentleman took care not to express that opinion until his Government went out of power.

Hon. Mr. MITCHELL said he had always held the opinion he now expressed. (Laughter.) Hon. gentlemen opposite might laugh, but they had not the courage to adhere to the opinions they had expressed when in opposition, that the militia expenditure should be decreased. He held that half a million was quite enough, and in that he believed he would be sustained by the hon. member for South Ontario.

Sir JOHN A. MACDONALD said his hon. friend, the leader of the Left Centre, was of opinion that all money that was spent on defence was mis-spent, unless it was spent on the navy. The hon. gentleman had been looking around for a follower, and he had found either a follower or a leader in the hon. member for South Ontario. In reference to the general question of defence, it must never be forgotten that in 1865 a deputation went to England, and the whole subject of the relative contributions for the defence of the empire was discussed, and it was arranged

then that the contribution of the old Province of Canada towards its own defence should not be less than one million dollars a year. That arrangement had never been altered, and on the faith of it the Imperial Government still kept a force at Halifax, and were pledged to use the whole force of the empire in our defence.

Hon. Mr. MITCHELL said he could stand the badinage of his hon. friend, and the laughter which had been raised at his expense. He held that this country was not bound by the arrangement entered into by the old Province of Canada with reference to militia expenditure, and moreover since that arrangement was made HER MAJESTY'S forces had been withdrawn from nearly every city in the Dominion, leaving only a small force at Halifax. He fully appreciated the advantages he derived from the protection of the Imperial Government, but what we had to look to was our own resources and our own expenditure. A simple paper organization of the militia was all we needed, and there was no necessity for us spending more than a half a million. When the militia estimates were again before the House, he would have more to say on the subject.

The Bill was then read a second time.

CONTROVERTED ELECTIONS.

Hon. Mr. FOURNIER, in moving the second reading of the Bill to amend the acts respecting controverted elections, said he proposed when the bill was before Committee of the Whole to propose some amendments, in order to embody the views of the hon. member for Cardwell, and the suggestions of another hon. gentleman who had introduced a Bill on the subject.

Hon. Mr. BLAKE suggested that an amendment be also introduced giving the Judge in election cases power to adjudge part of the costs to the agents by whose acts the election was voided. This would not only be fair to the respondent, but would have the effect of restraining agents from doing unlawful acts.

SUPPLY.

The House went into Committee of Supply, Mr. SCATCHERD in the chair.

On the item of $721,520.25 for collection of Customs,

Hon. Mr. CARTWRIGHT said the increase in Ontario, amounting to $13,848, was chiefly caused by the creation of one new office at PRINCE ARTHUR'S Landing and certain advantages, as stated by him the other day, given to the merchants of Hamilton, Toronto, Kingston and London. Collectively these comprehended the great bulk of the increase in Ontario. Similarly in Quebec the great bulk of the increase was caused at the port of Montreal, and in St. John in New Brunswick. In Manitoba and the North-West Territories there was an increase of $1,500. The remainder of the items were the same as heretofore voted. The Minister of Customs would explain details.

Hon. Mr. MITCHELL asked why there was an increase of $700 in the port of Chatham, N. B.

Hon. Mr. BURPEE said it was caused by the appointment of an appraiser who was not there before. There was an officer in Newcastle who had been doing the work at both Chatham and Newcastle, receiving his salary partly for one and partly for the other. He was taken off at Chatham, and an appraiser was appointed there in his place.

Hon. Mr. MITCHELL declined to accept that as the actual reason. Newcastle and Chatham were five miles apart and the Customs Officer lived at Douglastown about a mile or a mile and a half from Newcastle. His salary was reduced because it was deemed convenient to punish a supporter of PETER MITCHELL, and reward a man who had canvassed the county against him (Mr. MITCHELL), and lied about him. Mr. MILLER, the old official, lived nearer Chatham than Newcastle. He (Mr. MITCHELL) mentioned those facts because the Minister of Customs might not be aware of them.

Hon. Mr. BURPEE assured the hon. gentleman that the change was not made on political grounds, but on representations made to the department that Mr. MILLER was residing in Newcastle.

Hon. Mr. MITCHELL—He was not residing in Newcastle.

Hon. Mr. BURPEE said the amount Mr. MILLER received was as much as the Act allowed him. The officer at Chatham collected a great deal more than the officer at Newcastle.

Hon. Mr. MITCHELL had not a word to say to the amount of salary. The gen

tleman who collected for Miramichi, which comprised besides Chatham and Newcastle, Douglastown and Nelson, resided at Douglastown. He had steadily opposed Mr. HUTCHESON, the former member for Northumberland and it was through the influence of the latter that he was removed. Mr. MILLER had well and faithfully discharged his duties, but because he was a friend of PETER MITCHELL's his salary was reduced from $1,100 to $500. The change was made without his (Mr. MITCHELL's) recommendation. Occupying an independent position in this House, he asked the Government for no favors, but he was bound to state that he had no hand, act, or part in removing Mr. MILLER from his position.

Hon. Mr. BURPEE said the hon. gentleman must surely know that an officer could not discharge the duties of an appraiser and not live in either town. The salary was the maximum amount allowed by law, and as there was nothing to do in the winter months, it was fair enough. He repeated his assurance that the change was not made for political reasons.

Hon. Mr. MITCHELL pointed to instances where appraisers did not live within a mile and a half of the ports where they discharged their duties. He challenged the hon. Minister of Customs to show one single charge that had ever been made against Mr. MILLER in his official capacity. While he (Mr. MITCHELL) had to accept the explanations of the hon. Minister of Customs, he had his own convictions.

Mr. PLUMB called attention to the fact that there was an increase of $375, at Fort Erie, $450 at St. Catharines, $950 at Clifton, $2,275 at Hamilton, and a decrease of $190 at Niagara. He asked for explanations.

Hon. Mr. BURPEE said the contingent fund for Fort Erie had been found insufficient, hence the increase at that port. At Hamilton the increase was for delivering goods to merchants. Instead of charging them for the examination of their goods the expense was covered by this appropriation. There had been one appointment made at Clifton at the request of the Collector there, an increase of salaries of two officers and an increase of $50 in the contingent fund.

Mr. PLUMB said these were illustrations in a small way of the economy which they were told would be shown by hon. gentlemen opposite. These were small sums, but they amounted to a good deal in the aggregate.

Mr. KIRKPATRICK complained that the Government in making appointments frequently passed new men over the heads of officers who had been in the service for years, and for no cause that he could see, but for political reasons. If there was a Civil Service Act on the statute books it should be observed in making these promotions.

Hon. Mr. CARTWRIGHT said the Civil Service Act would be brought down shortly, but he did not think they could follow the same course with regard to the outside service as with the Civil Service at Ottawa. The other Government did not do so, nor did the present Administration find it possible always to promote according to seniority. Where it was possible to do so, it had been done. It was not always possible to find among employees who had been four or five years in the service, persons fit to discharge the duties of collectors. With regard to the increase of salaries, it would be remembered that there was an increase of two and a-half millions in the revenue, and there was necessarily a larger expense in collecting it. The Minister of Customs had devoted himself to the work of reforming certain very flagrant abuses, which had existed in his department for some time, and it was quite impossible for him to do so unless he employed officers of a competent and reliable character. Some of the most flagrant of these abuses were found in New Brunswick and Nova Scotia, and he could not have believed they existed if he had not got the details. In one place on the boundary of the United States, merchants were in the habit of taking goods across the frontier without entering them, and sending in checks, at such times as pleased themselves, to the collector of that port. The Minister of Customs found it necessary, in view of such abuses, to take measures for the better collection of the revenue.

Hon. Mr. MITCHELL asked the Finance Minister to specify any charges he had to make against the officials of New Brunswick. His opinion was that the department was as well managed in that Province as in any other part of the

Dominion. If abuses existed they should be investigated and remedied. It was a fallacious argument to advance in support of the increase of salaries, to say that it was due to the increase of revenue. Merchants could do a business yielding a profit of $500,000 on the same staff as one giving $250,000. It made no difference to a collector whether he collected a duty of twenty per cent., or fifteen per cent. There was no additional calculation or labor through the unjust and unnecessary tax levied by the Finance Minister. He (Mr. MITCHELL) was not one of those who objected to the increase of salaries ; he merely objected to the justification which was taken.

Hon. Mr. MACKENZIE reminded the hon. member that under the Civil Service Act, when the revenue of certain ports reached a certain magnitude, the collectors were entitled to increased salaries. That had taken place in a number of instances. He had mislaid a statement which had been prepared showing these increases, and also where salaries were paid to officers far in advance of what the Civil Service Act allowed. They had been established by the late Government, and the present administration thought it was not advisable to reduce them. Among these were the ports of Lindsay and Collingwood. The collector at Lindsay received $1,000 a year, and the collector at Collingwood $1,200, though the revenue did not amount to $5,000 at either place, and they were not entitled to such salaries. The Government could not in every case decide upon the amount of salary by the mere collections, because, in some ports where they were comparatively small, the business done at the Customs Houses through shipping was very large, and imposed a certain amount of work that was to be considered when the question of salary was taken into account. The general complaint the other day was that the salaries were too small and should be increased. He was not aware of a single case where a salary had been increased without giving due weight to every circumstance connected with it. If the Government had erred, it was in the interests of the public and not of the service.

Hon. Mr. MITCHELL said this was an intelligent reason, and he repeated that he did not object to the increase of salaries, but to the reasons given by the Finance Minister for it.

Hon. Mr. CARTWRIGHT thought the House would understand that if duties were increased there would be greater inducements for evading them, and, consequently, an increased amount of vigilance would be necessary to collect the revenue.

Right Hon. Sir JOHN A. MACDONALD said the principle on which salaries were based was this—wages should be commensurate with the labor performed, whether the port was large or small. With Collectors a different rule prevailed. He could understand the difficulties of the Government. They were not long in office and they were suffering from a swarm of new flies. The old ones were satisfied, but the new ones were very troublesome to the Premier who, it must be admitted was fighting them manfully, and trying to brush them away. If the hon. gentleman would make a candid confession, he would say that the administration of the affairs of the Dominion was less embarrassing than the swarm of flies which were constantly putting their stings into him. He (Sir JOHN) had a good deal of sympathy for the hon. gentleman, and when he saw him err in that way, could understand the pressure that was brought to bear on him. With regard to the outside service, the principal objection he had was that in somes places—Kingston for instance—new men in subordinate offices were given positions over the heads of officials who had been longer in the service. With regard to the head officers, the Government must have a great deal of latitude in making appointments, but with subordinates this principle should be rigidly maintained, and there should be no preference shown to new men. It chilled the hearts of young men in the service to see new men promoted over their heads, and it destroyed their usefulness. In discussing the Civil Service Act it was the general feeling that the English system should be followed—that an officer when appointed should not be considered anchored, but promoted from a smaller to a larger port. The late Government though they tried to adopt this system were not successful because of the intense localism which prevailed, young men preferring often to remain where they were settled to moving to another port where the salary might be

larger. Still, he thought the English system was better than our own.

Hon. Mr. MACKENZIE quite admitted that the hon. member for Kingston was an admirable preacher, and it was to be hoped that nothing would occur which would prevent him exercising his talents in that particular direction. The hon. gentleman thought that many hearts had been broken by the injustice of promoting new men over their heads, If he would take a retrospect of the last twenty years, he (Sir JOHN) would feel grieved at the suffering he had caused. The greatest trouble the present government experienced was not from the new flies, but from the old ones the hon. gentleman had left behind him.

Sir JOHN MACDONALD—You are killing them as fast as you can.

Hon. Mr. MACKENZIE said the government had been obliged to exercise a great deal of forbearance where officials had been appointed for purely political reasons without any regard to their fitness for office. He did not object to any reasonable thing that had been done for persons in a certain position, but it was hardly fair for the hon. gentleman after having so extensively done this, to come to this House and administer to the government a lecture on the proper mode of conducting the public business. The system which the hon. gentleman had laid as the proper one to follow, could not always be pursued. In some cases which had been referred to, there was no promotion simply because there was no person who ought to be promoted. He knew one port, for instance, where the leading official, under the collector, had been appointed by the hon. member for Kingston for political services rendered by a friend. A vacancy occurred which was not filled until the new Government came into power, when it was filled by the promotion of the man appointed by the hon. gentleman himself. Nothing could please him (Mr. MACKENZIE) better than to be entirely rid of the responsibility which this patronage involved ; and if a plan could be devised such as that in operation in England, which could be fairly carried out, the Government would be glad to adopt it. They had endeavored to appoint no one who was not qualified for an office, and, if possible, to give promotion to those who were entitled to it by seniority. The system of making appointments for political reasons had been carried out to such an extent by the old Government that it was impossible to entirely avoid the system now, but he admitted it was not a correct principle.

Mr. WOOD was sorry the hon. member for Kingston did not put his principles into practice while in power. For instance, in a certain port an official who had long been working at a salary of $500 a year, saw men appointed over his head who were less competent. The present Government, on coming into power, saw the wrong, and rectified it immediately. The man who received a salary of $1,200 was put back to his proper position of locker, at a salary of $800, and the other man was advanced to his position, but at a salary of only $900 a year instead of $1,200, to which he was entitled. He (Mr. WOOD) hoped the Government would pursue the course suggested by the hon. member for Kingston, and relieve members of Parliament from exercising the influence they now possessed in the distribution of patronage.

Mr. BERTRAM called the attention of the Government to the difference between the salaries of the officer at Dunnville and the officer at Port Colborne. The former received $1,300, the latter only $800, though the collections were much larger at Colborne than at Dunnville.

Hon. Mr. BURPEE said this was due to the fact that the Customs officer at Port Colborne received a large salary for collecting Inland Revenue.

Mr. THOMPSON (Haldimand) thought a considerable saving might be effected by abolishing the office of collector of Welland Canal tolls at Dunnville, allowingt he duties to be performed by the collector of customs at that port.

Mr. McCALLUM supported this view.

Hon. Mr. MACKENZIE said he had made a note of the suggestion which would be considered.

Mr. JONES (Leeds) complained that the officers in the small towns, who had seen considerable service, could not obtain preferment to collectorships in the large ports, even if their abilities qualified them for the position. This arose because both sides of the House declared that they could not carry out the Civil Service

Reform Act, a fact which he regretted. He referred to the case of an officer who though possessed of good abilities, only received $900 per annum.

Hon. Mr. BURPEE regretted that the salary received by the officer referred to was only $600. The hon. member would, however, understand the difficulty which would arise were the salaries of officers in the small towns increased throughout the Dominion, on account of the increased expenditure which it would involve.

Mr. JONES said all he desired was that officers at the small towns should have preferment to the higher offices, if they were qualified.

Mr. BERTRAM said there were several ports in the Dominion where one officer could perform the duties of Revenue officer and Custom House officer. At Lindsay, $1,555 were expended to collect a revenue of $4,657. The Inland Revenue officer could, without much trouble, collect that revenue, and by adopting that arrangement a considerable saving would be effected in the Custom Department.

Hon. Mr. TUPPER regretted that the Minister of Finance, knowing that he (Mr. TUPPER) was anxious to take the earliest opportunity of replying to his speech the other night, and that he had at the request of the hon. member postponed doing so until the motion was made that the SPEAKER do leave the chair,—should again refer in pointed language to abuses in the Customs Department of Nova Scotia and New Brunswick. The hon. Finance Minister should have left the statement to be made by the hon. gentleman who presides over the Customs Department. He now rose in his place to say—and he mentioned it in justice to himself after the very pointed remarks of the Minister of Finance—that he was prepared to meet any statement which the Minister of Customs could make by which it might be attempted to be shown that during the brief period he (Mr. TUPPER) had the honor of administering that Department he failed in the discharge of his duty to this House or the people of this country in any way whatever. He invited the Minister of Customs if he had any statement to make or any reason to believe that he had failed to efficiently administer the Department when he was at its head, to state the facts specifically to the House, and allow him to reply to them—not such vague insinuations as were made by the Minister of Finance, but some distinct, positive statement by which an hon. member would know what were the charges brought against him, and be prepared to meet them. He might state, for the information of the House, that, so far as the administration of Customs in New Brunswick and Nova Scotia was concerned, the late Government labored for some time under considerable difficulty and disadvantage. It might not be known to the House that the gentleman who was appointed several years ago to the imporant position of Inspector of Customs, a gentleman of great ability and high character in the public service—unfortunately became insane, and was sent to the hospital for the insane a considerable time ago. Under these melancholy circumstances the Government were reluctant to appoint a successor to that officer, while there was the slightest possibility that his unfortunate malady would be successfully treated, and that officer be enabled to resume his duties. In consequence of that circumstance a vacancy occurred in the important office of Inspector of Customs for a considerable period, and it was only at a comparatively recent date that the Government found that the case was hopeless, and appointed an officer to the position. He (Mr. TUPPER) was quite prepared to admit that under those circumstances, there might not have been that close vigilance which otherwise the Government would have had the advantage of; but he was not aware down to this moment of anything that occurred in the Customs Department of Nova Scotia or New Brunswick which showed that he had failed to discharge his duty. Of course, there was the case at St. John which was brought under the notice of the Public Accounts Committee—that was, however, anterior to the time when he accepted the position of Minister of Customs—and it was dealt with by the Administration the moment it was brought before their notice by the Committee, with very great vigor, almost amounting to harshness. The Finance Minister had indicated a place which, he said, had been the residence of the late Minister of Customs, where a very lax system prevailed. He had not the slightest idea to what place the hon. member referred, and, having discharged the duties of his position to the

best of his ability, he could assure the House that if there was any laxity at any port he was ignorant of it. It was true that under the old system in Nova Scotia, there was considerable freedom allowed the collectors; that in country towns and villages it was the practice for collectors frequently to allow goods to pass into the hands of merchants without pre-payment of the duties. It was quite possible that this system might to a certain extent have been adopted by some of the officers; but on all those occasions the officer was held to be responsible, and he was not aware of a single case in which a single dollar had been lost to the revenue from any laxity of that kind. If any case could be mentioned, he would be glad to give explanations in respect to it. What he complained of in the statements made by the Finance Minister was that the charges were insinuated rather than made in terms which would enable a member who had occupied the position of Minister of Customs to meet it promptly and deal with it as might be required, and in a manner which he was convinced, would meet the satisfaction of the House.

Hon. Mr. BURPEE said he did not understand his colleague, the hon. Minister of Finance, to have charged the member for Cumberland with any neglect of duty while Minister of Customs. It was quite true, however, as his colleague had said, that irregularities did exist while the hon. member for Cumberland was at the head of the Department. They had been revealed by Inspectors, appointed by the present Government, who had been inspecting the offices in the Provinces of Nova Scotia, New Brunswick, Quebec and Ontario, and in some instances the irregularities had been going on since 1868. These irregularities were found to involve a loss in two places of $16,000, and they had been going on since 1868. It appeared that the collectors had been in the habit of allowing merchants to take goods from ware-houses, steam vessels or cars, without any regard to their being in bond, and without duty being first paid on them. At another place merchants had been allowed to bring goods into the Dominion across a river which formed the boundary between Canada and the United States, and make their returns for the duties at the end of one or two months. Some cases of a similar character had also been brought to light in the Upper Provinces. While he mentioned those facts to show that irregularities did exist, and had been discovered by the Government inspectors, he, at the same time, desired to state that every liberty and the benefit of every doubt would always be given to the merchant in case of trouble and difficulty.

It being six o'clock the SPEAKER left the chair.

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AFTER RECESS

The House again went into Committee of Supply, Mr. SCATCHERD in the chair.

The Committee resumed consideration of the item of $721,520.25, collection of customs.

Mr. KIRKPATRICK said he thought it right to call the attention of the Committee to the amount of $10,000, to cover appointments, promotions, &c. It was very strange that the Government should ask for a sum of money like this without any statement of its purpose further than that quoted. Hon. gentlemen opposite, when they were in opposition they cried out against the voting of money when its purpose was not clearly specified, and he thought they were justified in doing so. The system was a most reprehensible one, but in this case they could not make use of the *tu quoque* argument and reply that hon. gentlemen on his side of the House had done the same thing when they were in power, for the item appeared in the estimates last year for the first time.

Hon. Mr. BURPEE thought this money had been voted in some way for a considerable number of years, and he knew at any rate that there was likely to be use for it. The estimate for the port of Halifax, for example, would be exceeded he had no doubt, and it was to meet contingencies of this kind that the vote was asked. Of course if it were not needed it would not be used. He might add that it often happened that they had to appoint extra inspectors to go to certain ports of the Dominion, and this item would meet expenses of that kind.

Mr. BOWELL asked if these expenses were not covered by the vote of $15,000 for contingencies of head office.

Mr, JONES (South Leeds) complained of the small salaries paid the officers at a

number of ports, many of whom had been induced to accept situations at a small remuneration in the hope that they would receive promotion under the Civil Service Act. The only complaint he had to make against the $10,000, was that it was not sufficient—a larger sum should be asked for.

Hon. Mr. MACKENZIE said he quite agreed that it was a very improper thing to ask for a vote of this kind if it could be avoided, or unless the Government are prepared to point out the specific uses to which it will be applied. They would look into the matter before concurrence, and if the sum should be considered necessary, the use to which it was intended to be applied would be explained to the House. If they could manage without it they would.

Hon. Mr. BURPEE said in reply to the question of the hon. member for Hastings that the sum of $15,000 that gentleman had alluded to was for the inside service, and not for the outside service. In reference to the remarks of the hon. member for South Leeds, there were cases in which the salaries might be increased, and increased with great justice.

Hon. Mr. TUPPER said he thought the Finance Minister could scarcely have been serious when he suggested on a former occasion that a large increase made in the Customs Department by the late Government warranted a large increase by the present Government. He did not, however, intend to take any exception to the increase because he had found from experience that it was in the interest of the public revenue to pay those liberally who were engaged in its collection. With reference to the item for promotions it was well-known that under the regulations of the Department when a port reached a certain amount of revenue, the collector there was entitled to an increase of salary, and besides this, new officers were occasionally needed, and therefore the Government would require this vote. It was also remembered that the $70,000 voted by the House two years ago for the re-adjustment of salaries was at that time applied to both the inside and outside Civil Service.

Hon. Mr. MACKENZIE—The hon. member must remember that he distributed himself to the inside service only.

Hon. Mr. TUPPER said they distributed some $55,000 to the inside service, and then distributed the balance in the outside service, but it fell far short of what was required.

Hon. Mr. MITCHELL observed that the Premier having stated that on concurrence he would be prepared to give information as to how this sum was likely to be expended, the item should be allowed to pass.

Item passed.

On item 170, under the head of Excise,

Mr. DECOSMOS desired to call the attention of the Government to the state of the Inland Revenue Department in British Columbia. The total revenue from this source in that Province in the year 1873-4 was $10,878, and the expenditure $6,065, leaving a net revenue of $4,813. This revenue was almost wholly derived from five breweries and one distillery in the Town of Victoria, and to collect it surely three officers were not required. These parties did not object to paying the tax, but they would prefer to pay a fixed license and be relieved from the inquisitorial system of the Excise Department. If this plan were adopted the Government would get more revenue, and the brewers would be relieved from a great deal of annoyance.

Hon. Mr. GEOFFRION said the same system was applied to British Columbia as was in force in the rest of the Dominion. An exception could not be made in favor of any one Province. If the hon. gentleman had any better system to propose, he would be glad to give it his consideration.

Hon. Mr. MITCHELL called attention to the fact that at the port of Newcastle the predecessor of the present collector received five per cent. on all excise duties he collected. Since the appointment of the present collector he had continued to perform the same duties, but was not allowed the commission of five per cent.

Hon. Mr. GEOFFRION said he would make inquiry into that case. The rule of the Department was that where there was no excise officer, the officer of customs collected the excise and received a commission of five per cent.

Hon. Mr. MITCHELL said all he asked was that that rule be applied in the case he had instanced. Item passed, also Item 171.

On item 172, for standards of weights and measures ordered in England, but not yet delivered, $25,000, in answer to Hon. Mr. MITCHELL,

Hon. Mr. GEOFFRION said the $70,000 voted last year was found not to be enough to buy all the required standards, and therefore this additional vote was called for.

Mr. DOMVILLE asked whether the Government intended to put the Act respecting weights and measures in force at once, and whether they would extend the Act to all the cities and towns of the Dominion.

Hon. Mr. GEOFFRION said the Act provided that it should come into force six months after a notice to that effect appeared in the *Official Gazette*. The notice had been delayed till the standards had arrived from England. It has now been published, and the Act would come into force on the 1st of July.

Mr. JONES (Halifax) said he had hoped that the Government would not put this Act into force at all, as he considered it a step in the wrong direction. It would be much better to assimilate our weights and measures to those of the rest of the continent, as we had done our currency and our railway guages. The Imperial standard, which was to be introduced by this Act, would cause a great deal of inconvenience throughout the country, and if it was made compulsory it would be very unpopular.

Hon. Mr. TUPPER said the late Government had introduced this measure under an imperative sense of their duty to the country, and he believed that although it might be attended with temporary inconvenience it would prove to be a substantial reform. He hoped the Government would take steps to make public the general terms of the law before it went into force, so that the people would become familiar with it.

Hon. Mr. GEOFFRION said that would be done.

Item passed, also item 173, salaries of Inspectors of Weights and Measures, $60,000.

On item 174, for the purchase and distribution of standards of flour, &c., $3,000 in answer to Hon. Mr. MITCHELL,

Hon. Mr. GEOFFRION said this vote was required to provide Inspectors of flour, fish, &c., with the necessary standards.—Item passed.

On item 175 to meet expenses under the Act 36 Vic., Chap. 49.,

Hon. Mr. TUPPER asked what steps it was proposed to take under this Act.

Hon. Mr. CARTWRIGHT said the present idea was to appoint medical officers familiar with chemistry in the large cities of the Dominion, whose duty would be to examine samples of different articles of food, and if they found any adulteration the parties guilty would be prosecuted.—Item passed.

Items 176, salaries and contingencies of canal officers; 177, collection of slide and boom dues; 178, repairs and working expenses of ditto, were passed without discussion.

On item 179, $2,055,000 Intercolonial and other Government Railways in Nova Scotia and New Brunswick,

Mr. DOMVILLE inquired whether that amount of money was to be applied to what we understood as the Intercolonial Railway proper, or whether all the Government railways in Nova Scotia and New Brunswick were included. There did not seem to be any well marked distinction between the railways in this respect. He would have referred to this subject before now, but as it had been relegated to a sub-Committee, and as Mr. BRYDGES and others would be called before that Committee, he had refrained from doing so. We could not, however, allow this amount to pass *en bloc* without asking whether the Government had placed it to the account of construction or maintenance.

Hon. Mr. CARTWRIGHT said the hon. gentleman would see the details at page 69. He added that the term "Intercolonial Railway" included all the Government railways in the Maritime Provinces.

Mr. YOUNG called attention to the fact that there was $447,000 of a reduction in the expenditure in this one single branch of the public service, and the mere statement reflected, he thought considerably, upon the character of the management of the late Government. He did not intend to make any remarks upon this point, seeing that the whole subject had been referred to a committee, but would simply say that it was a very good proo of the energy and economy which the

Minister of Public Works had been able to infuse into his Department.

Mr. KIRKPATRICK said the hon. gentleman for South Waterloo was in too great a hurry to take credit to the Government. The fact was that last year they had increased the estimate by $496,000, and this year they had reduced it about $447,000, leaving a net increase over the highest estimate of the late Government of $40,000.

Mr. YOUNG said the increase last year was accounted for by the changed system of making up the accounts, charged, as much of the expenditure was, to working expenses instead of capital account. Surely the hon. gentleman was not so ignorant as not to know of the mismanagement on the Intercolonial Railway which had been brought to light by Mr. BRYDGES, If he were acquainted with the facts, his temerity in challenging comparision was extraordinary. He (Mr. YOUNG) took for granted that the reduction accomplished by the Government was a *bona fide* one, while it was well-known that the increase last year was not due to any greater expenditure, but to a desire to have the expenditures which already existed charged to their proper account.

Mr. WRIGHT (Pontiac) would like to know whether the reduction was upon capital account or working expenses, because until that was explained, it was impossible to say whether the Government was worthy of praise or blame. If the diminution were chargeable to construction, he thought the eulogiums of the hon. member for South Waterloo were uncalled for, as there was nothing more natural, now that the road was finished, than that such a reduction should take place. He hoped soon to see the day when there would be no charge against the Intercolonial Railway except for running expenses.

Mr. DOMVILLE contended that the expenditures for several new works on the railway, to the amount of $47.000 should have been charged to construction, whereas they had been charged to maintenance; the same principle, in his opinion, being applicable in this case by which merchants spread the expenses of starting in business over a series of years. He would like to know what had been done with the old rails taken up and replaced on what was formerly known as the European and North American Railway.

Hon. Mr. MACKENZIE said they were returned as "stores sold."

Hon. Mr. MITCHELL desired to know whether the amount realized was charged to cost or deducted from the actual expenditure of the year.

Hon. Mr. MACKENZIE said he was not quite sure but he would find out.

Mr. DOMVILLE maintained that there was no reduction but rather an increase in the expenditure on the Intercolonial Railway.

Hon. Mr. TUPPER asked the leader of the Government to postpone the discussion which he knew must take place upon this item because there were statements made in that regard, especially in the report laid before the country by Mr. BRYDGES, which his hon. friend could well understand it was quite impossible for him (Mr. TUPPER) to allow to pass without notice.

Hon. Mr. MACKENZIE said he was most willing that the hon. gentleman should have a chance of making any statement, or entering into any discussion on the subject he might desire.

Hon. Mr. MITCHELL did not desire to enter into a discussion on this subject at the present stage, but the hon. member for South Waterloo had challenged comparison between the administration of the affairs of the Intercolonial Railway under Mr. BRYDGES and the present Government, and under the late Government. He did not desire to bring the name of Mr. BRYDGES before the Committee, but that gentleman's name having once been before us it was made public property. He (Mr. MITCHELL) was quite prepared to discuss the management of the Intercolonial Railway under both parties, and although it might be true that some of the things referred to by Mr. BRYDGES were open to criticism and censure, he held that Mr. BRYDGES should be subjected to the same treatment as Mr. CARVELL. He felt very doubtful whether in the end it would turn out whether the hon. member for South Waterloo had been wise in challenging this comparison.

Hon. Mr. MACKENZIE said it seemed to him an extraordinary thing that the hon. gentleman should make an attack of this kind, particularly after having said that he did not intend to

enter into any discussion on the subject.

Hon. Mr. MITCHELL said he simply resented the remarks of the hon. member for South Waterloo.

Mr. YOUNG said the proper time to enter into a discussion was when the item came up in connection with the report of the sub-Committee. Nobody, however, was afraid of what the hon. gentleman did upon this or any other matter. They had found from long experience that his bark was worse than his bite.

Hon. Mr. MITCHELL said it had frequently been found that his bite was worse than his bark—at any rate his position in the House would compare very respectably with that of the hon. member for South Waterloo.

The item was allowed to stand.

Item 180, $250,000 Intercolonial Railway, Quebec—was passed without discussion.

On item 181, $200,000, Prince Edward Island Railway.

Mr. DOMVILLE said he understood at one time that this Railway had been taken over from the Local authorities, but he now understood that there was a heavy claim for extras by the contractors, Messrs. SCHREIBER and BURPEE.

Hon. Mr. MACKENZIE said that was a subject with which the Government had nothing to do, but he never heard of the claim before. At the time of Confederation, the Island Government had two hundred miles of road under contract, there was no distinct arrangement made in regard to it, and the Local authorities were allowed to continue in charge of its construction, the Dominion Government paying upon their certificates. The entire amount thus paid was about $44,000, and the final certificate of the engineer was being waited for. The Dominion Government had nothing to do with the contractors; they settled with the Island Government. The Dominion Government, however, had to take measures early last summer to prepare for working the road, and certain expenditures had been incurred upon that account. The money asked now was for the working of the road, and had no connection with the claims of contractors. He added, in reply to a few other questions, that preparations were made for obtaining further locomotive power, in addition to maintaining those they already had.

Mr. DOMVILLE said he was informed that there six locomotives on the railway that were of very little use. The Dominion Government had to assure the bonds provided to meet the cost of building the road. The Government of Prince Edward Island gave a contract to Messrs. SCHREIBER and BURPEE to build a railway which, when the Island came into Confederation, was paid for by bonds issued by the Dominion Government, and yet the House was now informed that several of the locomotives were worn out. Either the Island Government or the contractors were answerable for placing the railway in such a position, that no repairs to locomotives would be required or new locomotives purchased.

Hon. Mr. MACKENZIE said the contract was not made with the Dominion Government. Mr. SWINYARD was sent to the Island last summer by this Government to make a thorough inspection of the road. They subsequently sent down another engineer. As Mr. BOYD, the engineer of the Island Government, was employed by them and not by the Dominion Government, and Mr. GREGORY, the contractors' engineer, was partially employed as foreman to the contractors, so that it was desirable in the public interest to have a thorough inspection of the road made by an independent engineer appointed by this Government. A statement of the result of that inspection and all the details connected with it was now being printed, and he hoped it would be distributed in a few days. There are fourteen locomotives, six heavy, four comparatively light, or too light for general traffic, and the others are of medium sizes.

Mr. DOMVILLE hoped the papers which the Government would bring down would contain all the particulars in regard to the transfer of the railway to the Dominion Government.

Hon. Mr. MACKENZIE said there were no papers connected with the transfer. The moment the contract was finished the road was handed over to the Dominion as a matter of course, but they had no power to compel the Island Government to do anything.

Mr. DOMVILLE hoped the Dominion was not compelled to receive the railway in any condition in which the contractors

chose to leave it, for he was not willing to be told next session that the railway which was thus received was not paying expenses. He was not condemning the Government, but he wanted to know that the railway was handed over in a proper condition.

Mr. SINCLAIR said the Dominion Government did not pay a dollar for the building of the Island railway. At the time of Confederation the whole of their liability under this head was charged against the Island, and there was deducted from the subsidy due to the colony $200,000 a year on account of the railway. All the Dominion Government had to do was to run the road. An amount of $200,000 was placed in the estimates for running the road, and against that there was to be placed the whole of the earnings. He had no doubt that within a very few years the road would pay itself. The Provincial Government had to look after the carrying out of the contract for building the road; all the Dominion Government had to do was to see that the bonds were paid. The Provincial Government let the contract and appointed an engineer to see its provisions carried out. If locomotives had been accepted which were in a bad condition, the Government engineer was responsible because he had certified in favourable terms. It was currently reported that the Island was handed over in a bad condition, that there were steeper grades and sharper curves than were provided for under the contract. The Dominion Government were not responsible for that state of affairs, because the Local Government had full charge of the work, and had an engineer in charge. He (Mr. SINCLAIR) understood that the road had been taken from the Local Government under protest, and it would be a question as to who had to pay for any defects. The contractors would get clear of their responsibility when the Government engineer certified that the road was completed; he had so certified and that would clear the contractors, and the question, therefore, now was, if there were defects, whether the Dominion or the Local Governments would have to remedy them.

Mr. DOMVILLE remarked that Mr. POPE, of Charlottetown had offered to take the railway and work it at his own expense, at all seasons of the year. Yet that railway, which had cost so much money, was now buried under the snow. He hoped that the railway would not be accepted unless we received a *quid pro quo*, and that any claim put in by the contractors SCHREIBER and BURPEE would be examined carefully before being paid.

Hon. Mr. MACKENZIE said the Dominion Government had nothing to do with extras. If the Local Government had allowed extras they would have to pay them, or if the Dominion Government paid them, they would be charged to the Island at the rate of interest mentioned in the Confederation Act, viz.: five per cent. The curves and grades of the line seemed to be excessive, but whether they were in accordance with the contract or not, he was not then able to state. Mr. BOYD, acting as engineer by the Island Government, stated that they were, whereas the Dominion engineer said they were not in accordance with the contract, and the work was not what it ought to be. There were some grades seventy to seventy-four feet per mile, and one or two curves on branches—not on the main line—with a four hundred feet radius, which ought to be much larger for ordinary traffic. This was a narrow gauge railway of 3 ft. 6 inches, and it was said that short curves were no disadvantage. The rolling stock was smaller than on lines of the ordinary 4 ft. 8½ inch gauge, but it was evident that a high rate of speed could not be made with such short curves and steep grades. When the report made on behalf of the Dominion Government was printed, the House would have the fullest information on the subject.

Hon. Mr. TUPPER asked what return was anticipated from the working of the railway. An item was put down for annual expenses, $115,000. Had any estimate been made of the revenue likely to be derived?

Hon. Mr. MACKENZIE said various estimates had been made, but they were utterly unreliable. The maximum estimate was $150,000. With regard to the offer of Mr. POPE, he might state that a simple telegram was received from that gentleman stating that he would be willing to work the road without any subsidy from the Government. He (Mr. MACKENZIE) simply replied that the Government were not in a position to enter into any arrangement with regard to that undertaking.

Hon. Mr. TUPPER said the Government would be in a much better position after they had ascertained what the necessary expenditure would be, and the revenue which would be derived, to determine whether they would not work the road by means of a company. As the hon. Premier had promised to lay on the table of the House a report from the Dominion Government engineer, the subject would come more properly before the House when that document had been submitted.

Hon. Mr. MACKENZIE said it was utterly impossible to work the road during the present season on account of the heavy snow storms on the Island. An attempt was made during a number of days when the heavy storms commenced, but with all the powers of the engines and with hundreds of men at work they were obliged to relinquish the effort. The momentum of an engine and accompanying train on a narrow guage was not able to cope with the heavy snow storms of the Island.

The item was passed.

On the item of $33,000 for telegraph lines in British Columbia,

Hon. Mr. MITCHELL asked for explanations.

Hon. Mr. MACKENZIE said the vote was for current expenses for working the lines, and the $6,000 additional over last year was to meet the expense of laying a cable.

Mr. THOMPSON (Cariboo) asked if the cable that was being laid was included in the estimate.

Hon. Mr. MACKENZIE said it was. The estimate of the Chief Engineer of the Department gave simply these details:—For the payment of salaries, $24,000; renewals and repairs, $9,000.

On the item for $4,000 for agent and contingencies, British Columbia,

Hon. Mr. CARTWRIGHT explained that the item was a transfer from the Civil Government to Public Works chargeable to revenue.

The item was passed.

On the vote of $1,689,500 for Post Office service,

Hon. Mr. MITCHELL asked whether the contract of the Gulf Ports Steamship Company did not expire last year; whether, when that contract was renewed, tenders were advertised; whether the Government had any information that there was any person desirous of competing for that service; and whether or not the Government did award the contract without tender.

Hon. D. A. MACDONALD said he had no knowledge that any tender was offered for that service. Certain parties came to him and insisted on getting $24,000. He (Mr. MACDONALD) refused that and finally gave them $16,000. That was done in the usual way: when a contract could be reduced, it was very seldom that tenders were called for.

Hon. Mr. MITCHELL said if his memory served him right the contract with the Gulf Ports Company expired last year. Knowing this he intimated to the Postmaster General, having met him just at the corner of Metcalfe street, that if the subsidy was to be continued, the company with which he (Mr. MITCHELL) was connected would like to compete for it. The hon. gentleman replied that due notice would be given of the contract was to be let. He (Mr. MITCHELL) intimated the same to another member of the Cabinet. The trade along the St. Lawrence, when the subsidy was commenced was carried in one steamer with a capacity of 1,000 tons, the *Lady Head*, running between Quebec and the Lower Ports. There were now twenty steamers with a capacity of from 3,000 to 9,000 tons each, engaged in the trade. It was understood by the predecessor of the Postmaster General that this subsidy was to be discontinued at the end of the contract. With the increased trade and the competition of other lines, the public money should not be expended in that way. The pledge given him by the Postmaster General was not carried out. No doubt if escaped his memory, but he would say no more on that point. What he complained of was the principle of giving a subsidy to one line where there were two other lines competing for the trade. It was unfair to the other companies. But he was told that the Gulf Ports Company initiated the business. That was not a fact. The business was in existence long before that Company was organized. If the old Government continued the subsidy longer than they should, they should be condemned for it; it was no justification for the wrong doing of the present Administration. He held that the Government had done a great injustice to

the trade between Montreal and the lower ports, and deserved the censure of the House.

Hon. D. A. MACDONALD had no recollection of ever having been spoken to by the hon. member for Northumberland on this subject, and had no idea that the hon. gentleman was interested in the trade with the lower ports. How he could have been engaged in it while a Minister of the Crown he (Mr. MACDONALD) did not understand. When the subsidy was reduced to $16,000 the Gulf Ports Company regretted exceedingly that the old Government was not in power, and said if they had, the company would not be screwed down in this manner. The subsidy was given to the Gulf Ports Company because they had the largest number of boats. The Government consented to continue the subsidy for two years when it would cease, as the Intercolonial Railroad would then be completed. The contract would terminate at the end of the coming season and would not be renewed.

Hon. Mr. MITCHELL reminded the Postmaster General that the conversation to which he had alluded took place opposite the club at the corner of Metcalf Street. He was not aware that the company of which he was president had no right to compete for this subsidy because he had been a Minister of the Crown. What he complained of was the principle of entering into this contract without calling for tenders.

Mr. DOMVILLE said he was glad to hear the doctrine advocated that a Minister of the Crown could not be connected with any business respecting which he could use his position in the Government to benefit himself personally.

Hon. Mr. TUPPER said the House would like to receive some fuller information respecting the large increase in this department. Of course the details given by the Postmaster General were very satisfactory as far as they went, but further information was required as the increase was no less than $302,370.

Hon. Mr. MACKENZIE—The increase is only $184,000 over last year's estimates.

Hon. Mr. TUPPER said the proper comparison was not with the estimates of last year, but with the expenditure. In 1873-4, the year in which the largest expenditure took place, the outlay was $1,387,270, whereas the amount now asked for was $1,689,500. The increase in salaries alone amounted to $93,000, and he thought that some explanation should be given.

Hon. Mr. CARTWRIGHT pointed to the fact that both the receipts and the expenditures of the Post Office Department had increased year after year. In 1873-4 the expenditure was $1,387,000, and the present year it was expected it would be $1,500,000. He ventured to say that the whole amount asked for this year would be required.

Hon. Mr. TUPPER said the hon. gentleman did not take into consideration the fact that the large increase made last year was no reason why no increase should be made this year, but rather a reason for a decrease.

Hon. Mr. CARTWRIGHT said the expenditure in the Post Office Department last year was $815,000 ; in 1871-2 $929,000; 1872-3, $1,067,000 ; in 1873-4 $1,387,000 ; showing a steady increase each year.

Hon. Mr. TUPPER said if that argument were carried out to its logical conclusion, it would would soon land us in a very large expenditure in this Department.

Hon. Mr. CARTWRIGHT observed that while the temporary result of the changes proposed by the Postmaster General in the postal service would be a decrease in the revenue, the ultimate result would be a very large increase. The revenue of the Post Office Department during the four years before referred to were, in 1870-1, $600,000 ; in 1871-2, $929,000 ; in 1871-3, $883,000, and in 1873-4, $1,139,000, so that if the expenditure was increasing year by year the income of the Department was likewise increasing.

Hon. Mr. MACKENZIE read a statement showing the expenditure in the Post Office Department for the last year as follows :—In Ontario and Quebec, salaries $145,748 ; city post offices, $151,-707 ; country post offices, $239,037 ; ocean mail clerks, $4,621 ; other expenses, $91,600 ; total, $1,249,182. In Nova Scotia, total expenditure, $202,848 ; New Brunswick, $130,658 ; Manitoba, $16,107 ; British Columbia, $72,529 ; Prince Edward Island, $25,057—total, $1,689,383.

This showed the expenditure to be about the amount that was voted last year.

Mr. BUNSTER said a local company was being started in British Columbia which would be prepared to carry the Pacific mails for $4,000 or $5,000 less than was now being paid.

Hon. D. A. MACDONALD said that advertisements would he issued in a few days calling for tenders for that service, and if a British Columbian company's tender was satisfactory, they would get the preference over a foreign company. At the same time it was the desire of the Government to get the best service at the cheapest possible rate.

Mr. BUNSTER asked what time tenders would be received.

Hon. D. A. MACDONALD said the present contract would expire on the first of August, and he issued instructions to have tenders advertised for in British Columbia and other places, as well as in Liverpool. The Government would require vessels of one thousand tons burden, and to have accommodation for passengers.

Mr. BUNSTER said the company he had referred to intended to have a first-class boat.

Hon. D. A. MACDONALD said that the vessel must be to the satisfaction of the Department. None others would be accepted.

Hon. Mr. TUPPER asked what revenue was expected from the post office for the year 1875-6.

Hon. Mr. CARTWRIGHT said he did not expect any increase over last year.

Hon. D. A. MACDONALD said that by the convention with the United States the Department would temporarily lose $100,000, but they hoped in a very short time to make up that loss by the increase in the mail matter sent to the United States. By the change from six to three cents, letter postage, they would lose at first something like $60,000, and the reduction in the rate on newspapers and periodicals about $40,000. This, in addition to the loss that would be temporarily sustained by the reduction of the postage on newspapers and periodicals in this country, would involve a loss of something like $150,000 to $160,000, but he hoped shortly that this loss would be more than made up.

Hon. Mr. TUPPER observed that the admirable arrangement which the Postmaster General had made with the United States was one which he was sure would meet with the hearty concurrence of every one, although it might be attended with temporary loss. In a short time he believed the deficiency would be more than made up.

Hon. Mr. MACKENZIE said he had just been informed by the Secretary of the Post Office Department that the statement of expenditure which he read a short time ago did not include subsidies to steamers. The actual outlay for the year was $1,689,383, the revenue was $1,379,087, leaving a deficit of a little over $310,000. Such being the case, the estimate of last year appeared to have fallen short of the expenditure by a considerable amount.

Hon. Mr. POPE asked for explanations of the increase of $92,000 in salaries.

Hon. D. A. MACDONALD said he would give explanations on that point on concurrence.—The item passed.

On item 185, surveys of land, North-West (including staff) $230,000.

Hon. Mr. LAIRD explained that only $100,000 was asked for this service last year, as compared with $183,000 the previous year, because last year they did not consider it necessary to carry on the surveys to so large an extent as formerly as the Pacific Railway was not located, and it was not desirable to survey further than the road was located. But now that a good part of the railway was located through the prairie it would be expedient to carry out the surveys into townships more extensively, so that the blocks designed for the railway might be surveyed on the same plan as the other portions.

Hon. Mr. MITCHELL—Do I understand that the line of the Pacific Railway through that country has been settled?

Hon. Mr. MACKENZIE—Yes.

Hon. Mr. MITCHELL—And it is intended to make a continuation of the survey beyond Manitoba?

Hon Mr. LAIRD—Yes.

Hon. Mr. MACKENZIE said it would be quite possible, once the telegraph line was constructed westward, to commence the survey of a new point further west of the present survey, because they could ascertain by means of the telegraph an astronomical point to start from. In the

meantime the survey must be continued from the point of the present survey.

Hon. Mr. MITCHELL—Would the hon. gentleman object to stating whether the line of the railway will pass to the north or south of Lake Manitoba.

Hon Mr. MACKENZIE—It will not pass either to the north or the south, but through the middle of it. There was a point where Lake Manitoba narrowed to the width of about 1,200 feet, and with a depth of only some 16 feet; and the railway would cross at that point. This enabled them to build the road in an almost perfectly straight line from the North end of the Lake of the Woods to Fort Pelly, and through one of the finest sections of the country, yet explored. It would cross the Red River about three miles North of the Stone Fort, about 22 & 23 miles, North of Winnipeg.

Item passed.

On item 186, estimate of amount for which a vote is required for minor revenues, $10,000, in answer to Hon. Mr. MITCHELL,

Hon. Mr. CARTWRIGHT said this amount was rarely expended. Last year there was a surplus of $6,000 or $7,000.

Item passed.

The Committee then rose and reported the resolutions passed and asked leave to sit again.

The House adjourned at 10.30.

HOUSE OF COMMONS.

Wednesday, February 24th, 1875.

The SPEAKER took the chair at three o'clock.

THE DOMINION NOTES ACT.

Hon. Mr. CARTWRIGHT introduced a Bill to amend the Act regulating the issue of Dominion Notes. He said he need hardly state that his own notions as to the issuing of Dominion Notes were tolerably well-known, and so far as the theoretical part was concerned, they had not changed, but after the introduction of certain measures it was not always advisable to change them. Although his ideas of the Dominion Notes Act were unchanged, his opinion was that it should be restored to the original shape in which it was introduced in this House. For many reasons he believed its operation would be more wholesome in that form. The original proposition contemplated a Dominion Note circulation of $9,000,000, and if any amount above that should be issued, dollar for dollar in specie should be held for such excess. He knew that when the present Act was on the statute book certain serious inconveniences might ensue, and those inconveniences had ensued. From the time it had been on the statute book, the gold reserved in this country, never very large, had been steadily decreasing. It was safer and cheaper for the banks to hold notes which were legal tender in the country and as good as gold in all cases for commerce. Some two or three years ago a portion of the specie held as against Dominion notes was very considerably in excess of the amount of notes, and very considerably larger in proportion to the total liabilities of the conjoined banks, than at present. Now these facts had been reversed. The banks held considerably more Dominion notes than gold. There was comparatively but a small amount of gold in Canada, and this was a matter of serious consequence. The House and the mercantile community were aware there had been a rather serious draw on gold of late. Within the past six or seven weeks the Government had had to pay some $2,000,000 in gold in redemption of their Dominion notes, and had it not been for the fact that for a considerable time back the Government had held a large excess of specie, amounting to something like $500,000 or $600,000 in excess of that required by law, rather serious inconvenience would have been felt. As the matter stood, the inconvenience was but slight to what the public would have experienced had not the reserve of gold been retained at a high figure. It would be obvious to the House that it was not desirable that the Government should be exposed to the charge of interfering with the ordinary operations of the market. In all cases it was extremely important as far as possible that the working of this gold reserve should be automatic, and, with a view of attaining that end, it was his intention to propose to the House that the Government should fix a certain sum, beyond which, as heretofore, they should hold dollar for dollar, and within certain other limits should considerably increase the proportion of gold held for notes. He did

not propose to return to the limit originally fixed by Sir FRANCIS HINCKS, because the business and trade of the country, the number of banks and the volume of their liabilities, had increased considerably in the meantime; but he had proposed to fix a certain limit beyond which they should hold dollar for dollar. That limit was $12,000,000. For notes below $12,000,000 and above $9,000,000 held by the Government it was proposed to hold 50 per cent., instead of 35 per cent., as at present. He was inclined to think from his own experience that if this modification were adopted in the future very little inconvenience would be felt from these periodical drains on our specie. Whatever might be the ultimate decision the Government might arrive at on this whole question, it required the most careful consideration. While on this subject he might say that it must be obvious to the House that when this gold drain to which he had alluded should exceed its ordinary proportions—when it would be necessary to send several millions of dollars to England to pay our remittances—rather serious inconvenience might occur. It was quite clear that if the present system were continued, and the reserve were maintained at 35 per cent., these gold drains would go on from year to year, and, as it was quite impossible for the Government to protect themselves against such drains except by calling in deposits, which would hamper the commerce of the country, the limit proposed at which dollar for dollar should be held should be fixed. He had had some considerable doubt in his own mind as to whether there should be two-thirds held between $9,000,000 and $12,000,000, but his object was to hold no more than the necessities of the case required. He was willing to give the 50 per cent. reserve a fair trial before asking for further legislation on the subject. The only provisions in the Bill were those to which he alluded.

Hon. Mr. HOLTON said he was disposed to regard with a good deal of favor the proposition which the hon. Minister of Finance had just submitted to the House, but he presumed his hon. friend regarded this measure as only a provisional one. The hon. gentleman, like himself, was opposed *in toto* to the introduction of the system of legal tender. A good many of the evils that had been foretold by the opponents of that system were beginning to develop themselves, and, in fact, had been developing themselves almost from the start. But opposition to a measure at its inception, and the entire abrogation of it after it had been for several years in operation, were two very distinct things. We were not at all now in the position that we were in when he opposed the introduction of the legal tender system. We had to deal with existing facts, and in the light of existing facts he was disposed to regard this measure which he conceived to be merely provisional with a good deal of favour. It would be the duty of the Minister of Finance he thought to consider the whole question of legal tenders at a very early day. He did not propose to raise a discussion on the introduction of this Bill, but he felt it his duty to take this early opportunity of stating that as a provisional measure the Bill now introduced was one worthy of the favorable consideration of the House.

Mr. PLUMB said no one could object to any measure that would give greater stability to our financial position; but he failed to see that any of the evils referred to by the hon. member from Chateauguay had followed the introduction of the legal tender system. He hoped, therefore, that this proposed measure would not be merely a provisional one, for it was better to put up with a few evils than to have an unsettled financial system.

Bill read a first time.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:

Mr. DEVLIN—To amend the act incorporating the Montreal Board of Trade.

Mr. MURRAY—To incorporate the Upper Ottawa Improvement Company.

PENITENTIARIES.

Hon. Mr. FOURNIER introduced a Bill respecting penitentiaries, and the inspectors thereof. He explained that the chief amendment proposed to the existing law was to substitute for the present Board of Directors, an Inspector who should be an officer of the Department of Justice acting under the immediate control of the Minister of Justice. The clause embodying this alteration was as follows:—

"It shall be the duty of the Minister of Justice to require and obtain from the Inspector an

annual report on or before the first day of January in each year, to be laid before Parliament at the then next session, which report shall contain a full and accurate report on the state, condition and management of the penitentiaries under his control and supervision, and inspected during the preceding year, together with such suggestions for the improvement of the same as he may deem necessary and expedient, and accompanied by copies of the annual reports of the officers of the penitentiaries, and by such financial and statistical statements and tables as the books kept by them may supply; and which report shall also comprise and embrace the following particulars, viz :—

1. Any facts which may have come to his knowledge with respect to the working of the laws and penal system of the Dominion, or any injustice or hardship which, in his opinion has arisen therefrom, and such suggestions for the improvement or amendment at the same, and for the prevention of crime, or for the reformation of criminals, as he may deem expedient ;

2. An inventory and valuation of all the property belonging to the penitentiaries respectively, moveable and immoveable ; distinguishing the estimated value of the several descriptions of property ;

3. A statement of all debts due by the penitentiaries, showing the names of the parties to whom each is due, and showing also the debts, if any, due to the institution, with the amount and nature of each debt ;

4. An estimate of the expense of the penitentiaries for the ensuing year, distinguishing the ordinary from the extraordinary.

" In case the Inspector finds at any time that any Penitentiary is out of repair, or is, or has become unsafe or unfit for the confinement of prisoners confined therein, he shall forthwith report the fact to the Minister of Justice, and shall at the same time furnish a copy of such report to the Minster of Public Works.

" Another important change proposed by the Bill was to place the construction and repairs of buildings and others works in connection with penitentiaries under the control of the Department of Public Works."

Sir JOHN MACDONALD said he had paid much attention to the subject, as it came within his department when Minister of Justice, and he would, therefore, look with great interest at the Bill. He did not at that stage propose to discuss whether the amendments proposed were such as should receive the sanction of the House, but ventured to hope that if existing interests were affected, compensation would be provided to the parties suffering.

The Bill was read a first time.

Mr. MOSS introduced a Bill to amend the act of incorporation of the Great Western Railway Company.

Hon. Mr. MACKENZIE asked the object of the Bill.

Mr. MOSS said the object of the Bill was to change the number of directors, and to apply to the Great Western Railway Company certain clauses relating to sidings, and other matters which are found in the General Railway Act of 1869.

Hon. Mr. MACKENZIE asked if the Bill contained anything affecting the financial affairs of the company.

Mr. MOSS—Nothing whatever.

The Bill was read a first time.

JOINT COMMITTEE ON PRINTING.

Mr. ROSS (Middlesex) presented the fifth report of the Joint Committee of both Houses on Printing.

THE OUTLAWRY OF LOUIS RIEL.

On question being called,

Hon. Mr. MACKENZIE said—Mr. SPEAKER : Before proceeding on to the regular business of the day, I propose to move in the matter of which I gave notice verbally on Monday. I then laid the record of the judgment of outlawry, in the case of LOUIS RIEL, the member elect for Provencher, upon the table, and intimated my intention to move, in pursuance of the Parliamentary course pursued in England upon a similar occasion, or one as nearly parallel to it as any case that can possibly be found. I propose to move in the same sense as the leader of the House of Commons moved in the case of SMITH O'BRIEN, who was convicted of felony when he was a member of the House, being advised—for I do not presume to enter upon any legal argument in the matter—that the sentence of outlawry is equivalent to a conviction by the Court of the crime charged in the indictment. In that case Lord JOHN RUSSELL simply moved, in the first place, that the record laid on the table be read. I have private notice given me by the hon. member for Cardwell that he intends to dispute both the motion and the premises. I am not quite sure that I am doing quite right in anticipating his own statement of the case, but it is necessary in submitting my motion to do so to some extent. He disputes that a legal outlawery has been pronounced at all ; he disputes the legality of the proceedings, and proposes that this House shall constitute itself into a Court of Review of the proceedings of the Court in Manitoba. I am not aware that any proceeding of that kind was ever under-

taken or was indeed ever proposed by any member of the English House of Commons. There is no case where anything of the kind has taken place. He also proposes, as I understand from him, to establish the point that outlawry in this country is entirely foreign to our own criminal procedure for the reason that in our Act of 1869 at the 82nd section, it is stated that any person indicted for any offence made capital by any statute should be liable to the same punishment whether it be a conviction by verdict or confession; and therefore the omission of the term outlawry in a particular section of our criminal procedure operates as setting aside all the outlawry proceedings in criminal cases. I will not venture for a moment to discuss the legal aspects of the case. They will be discussed, no doubt, by the gentlemen learned in the law on both sides of this House. I simply take the ground that I think I am entitled to take by enquiries on the subject, that the law of England still prevails throughout these territories, and in Canada where it has not been specially repealed by special enactments. That the law of England does extend to these territories in this respect in this particular instance there can be no doubt whatever, and if it be disputed there is abundant proof of the allegation that it is. In the 78th section of the Act relating to criminal procedure, we find that our own act does contemplate a verdict by outlawry, and it is tolerably clear to my own mind, looking at the question from a common sense point of view; that the ground proposed to be taken by the hon. gentleman is not tenable, so far as the enactment is concerned, upon which he intends to found his objection. I do not propose to enter upon the question as to whether it is so or not. I simply state these facts in order that they may be dealt with by gentlemen who were to follow him conducting the legal part of the argument. The question may possibly be raised as to whether the document laid before the House is precisely the kind that it should be. I do not know whether it is or not. In the O'DONOVAN ROSSA judgment the document itself was not laid on the table, but a certificate from the officer of the court stating that such a decision had been rendered. In the present case the document itself is laid on the table, and it is competent for this House to question the legality of it. I shall, therefore, move in the first place, "That the record in the case of LOUIS RIEL, laid on the table of the House on the 22nd inst., be now read." I follow, as I said before, very closely the precedent in the SMITH O'BRIEN case, in which the motion was that the decision be entered as read.

The motion was carried, the House dispensing with the reading of the document.

Hon. Mr. MACKENZIE—I now move "That it appears by the said record that LOUIS RIEL, a member of this House, has been adjudged an outlaw for felony."

Mr. MASSON suggested that it would be well to know if there was anything before the House to prove that the LOUIS RIEL who had been adjudged an outlaw was the LOUIS RIEL who was a member of this House.

Hon. Mr. MACKENZIE said the hon. gentleman must judge for himself. The document was on the table making that statement, and the House had dispensed with the reading of it.

Mr. MASSON asked that the document be read.

Hon. Mr. MACKENZIE—It is now too late.

Mr. MASSON—The hon. gentleman should not take shelter behind forms.

Hon. Mr. MACKENZIE—I do not go behind forms. The hon. gentleman should have called for the reading of the document at the proper time.

Sir JOHN MACDONALD—The hon. member for Terrebonne says the fact that LOUIS RIEL is an outlaw in Manitoba is no proof that he is the LOUIS RIEL who is a member of Parliament. That is the point the hon. gentleman makes.

Hon. Mr. MACKENZIE—If the hon. gentleman has any doubt of it he will vote against the motion.

Sir JOHN MACDONALD said that was to a certain extent an answer to the objection, because the Premier in his reply had by inference stated the two were one and the same person.

Hon. J. H. CAMERON quite agreed with what his hon. friend said; that there was enough to bring before the House the fact that the person charged with outlawry was a member of this House. The Premier had partly stated his (Mr. CAMERON'S) objection to the House, but not being a lawyer he could not be expected to remember exactly what was said. His (Mr. CAMERON'S)

objection was not merely with regard to the criminal law of the land, not having process of outlawry in it, but that so far as this particular case was concerned, in the Province of Manitoba, whatever it might be elsewhere, the process of outlawry did not exist, and that the proceedings in outlawry upon an indictment for felony could not be had in the manner required by the law of England. He would endeavour to explain to the House the ground upon which he had taken that view. No one for a single moment would imagine that he (Mr. CAMERON) had the least desire that RIEL should remain a member of this House, because if he was not to vacate his seat he (Mr. CAMERON) would be prepared to move that he be expelled. The position that should be taken with regard to constitutional forms and rights was one that should not be given up if they had strong convictions on the subject. He (Mr. CAMERON) had very strong convictions on this point, and felt bound to offer for the consideration of the House the grounds which had influenced his mind in saying that upon the face of the records of this proceeding there was no valid judgment of outlawry. Those who were versed in the law were aware that certain proceedings must be taken in reference to outlawry in England. They go back to a very remote period, except recently, when a change was made in civil procedure by what was called the "Common Law Procedure Act." They dated back prior to the existence of Canada as a colony. From the times of HENRY VI. down to the last act passed in the reign of WILLIAM and MARY. They explained the manner in which proceedings were to be taken in criminal and civil cases tending to outlawry. While in common law proceedings for initiating outlawry might be taken upon an indictment, for criminal proceedings the manner in which these proceedings were afterwards carried on, and the ceremony to be observed in respect to them were pointed out. Now, when they had before them a record of judgment, and there was either in the law with regard to it, or on the face of the judgment itself, that which invalidated it, he thought they were not precluded from declaring that it was not a record of outlawry. They were not in the least degree precluded, as they would be in dealing with a question of fact, from examining the record. They could not be prevented any more than a court could, from declaring from the face of that record that there was no outlawry, and that the House could not, therefore, take proceedings upon it. Now, in the proceedings to be taken in outlawry, though to most persons they might appear to be merely technical, involved rights and privileges, and an explanation of them, therefore, might be interesting to most of the hon. gentlemen present. Upon an indictment for a felony punishable with death, if the accused does not appear, a writ called a bench warrant is issued at the time of the Assizes, which is the same as a writ which is called *capias ad respondendum*. That writ requires to be issued once, twice and three times in some cases and once or twice in other cases. The sheriff of the county where the party dwells or of the county next to it is required to return the writ, declaring the party is not forthcoming, and for each writ a similar return is made. He is required to make proclamations at the seat of the County Court for five different times, and a writ was required to be issued called a writ of *exigent*. That writ and the proclamation bear the same date of issue and the same date of return. The time which must by law elapse between each of these proclamations is a month. The last day—the *quinto exactus*—when the proclamation of declaration expires, is the day on which the party is required to appear, so that, in fact, the outlawry shall not take place until the day in which the party has been required to appear shall have passed. So much was this the case in England, where this system had been in use for so long a period of years, that if there happened not to be a coroner in a county, there could be no judgment of outlawry pronounced. The law was plain upon that point, and the authorities distinct. If there were no sheriff in the county for over a year, proceedings could not be taken until a new sheriff was appointed, and so long as there was no coroner in the county, no sentence of outlawry could be pronounced. The proceedings to which he had referred had every one of them to be taken in the order in which he had referred to them, and if that order were departed from in the slightest degree, the record might be treated as null and void.

Although in most cases writs of error and motions to set aside could be entertained in cases of this nature, if any error of informality were apparent on the face of the proceedings, outlawry could be of no effect. In the Province of Manitoba there could be no outlawry. In the first place, there were no sheriffs of counties, for there was but one sheriff, and in the second place, there were no coroners of counties, for there was only one coroner. As these first instruments to outlawry did not exist according to the law, the means of taking the course dictated by the law of England did not exist, and that course could not therefore be taken. The form of proceeding was a peculiar one, but it was required to be carried out with the strictest possible exactitude. The result of carrying out these proceedings in England was that, if the man did not appear within the time stated, and judgment of outlawry were pronounced, he might be executed without any further proceeding. Therefore it was that the law was so particularly observed as in favor of life, and matters which under ordinary circumstances would be looked upon as mere irregularities were in this regard treated by the law as defects. Outlawries had over and over again been reversed upon grounds which in other cases would be of no force at all. For the reasons stated, therefore, no judgment of outlawry could have existed in the case of RIEL at all. In reference to the record before the House, the difficulties that might occur, and did occur in many cases in England, appeared to be multiplied tenfold. He thought it would be almost impossible to produce any record of outlawry with so many mistakes in it as there were in this. There were no less than ten or a dozen grounds, upon the face of the record, why judgment should be reversed. There was one ground, at least, upon which not only could no legal man, but also no layman in the House, fail to see that the outlawry was null and void. The *quinto exactus* was the 10th February, the 10th of this present month, and that was the very day upon which RIEL was required to appear in Court. He had the whole of that day in which to appear, and therefore he could not be outlawed by any possibility until the next day. Yet on the very face of this proceeding it appeared that he was outlawed on the day he was required to appear. The case on that point was as clear as it could be, and the authorities as plain. In a case where an offender was outlawed on the day of the *quinto exactus*, the outlawry was set aside because he had all that day in which to appear before the Court, and by no possibility could he be outlawed until the following day. The cases reported in COKE JAMES, 160, and PALMER, 280, were clear upon this point, and the reason of the thing was quite as evident as the law; because if a man had the whole of the 10th of February to appear, it was quite clear that he could not be outlawed on that day. And yet the record upon which the House was called upon to act declared that LOUIS RIEL was an outlaw on the 10th of February, and was certified to by the Clerk of the Court of Queen's Bench on that day—the day before RIEL could possibly have became an outlaw. In addition to that point there were other objections which might be taken, and which would on the face of the record be sufficient to void the sentence of outlawry. For instance: the statute which the sheriff professed to follow was the 31 ELIZABETH, and that statute declared that there should be no outlawry unless three proclamations were issued, the first in the County Court, the second in the Quarter Sessions, and the third at the door of the parish church of the place where the party lived, one month before the outlawry. But on the face of the record in this case it appeared that the first and third proclamations took place on the same day, 4th January, and the second immediately afterwards, and not at the Quarter Sessions, but at the County Court. So that the very statute that had professedly been acted upon had not been acted upon. This was not his own reasoning merely, for he had authorities, and could give an adjudged case for every point he took. Moreover, it could not be controverted that one month must elapse between the issues of the five proclamations in the County Courts required by law. What time had been allowed to elapse in this case? The first proclamation was issued on the 4th of January, 1875, in the County of Selkirk; the second on the 7th of January, in the County of Lisgar; the third on the 11th January, in the County of Provencher; and the fourth on the 13th January, in

the County of Marquette East. The law provided that a month's delay should take place between the proclamations, in order to give the fullest opportunity to the accused party to appear. COKE in his second Institutes, page 47, stated: "As the punishment under outlawry is very severe, the law has provided and takes care that no person shall be outlawed till he has had all due and proper notice of the proceedings." It was evident that the provisions of the statute in this respect had not been followed in this case, and as the law required that every step in outlawry should, on pain of nullity, be taken in strict accordance with the law, there could be no doubt that this sentence of outlawry was void. He could cite a case in which the mere change of a single letter had been held enough to upset the process of outlawry. There was another objection to the proceedings, and that was that RIEL was outlawed in the wrong court. He could only be outlawed in the County Court, but according to the record he was outlawed in the Court of Queen's Bench, sitting as a Court of Oyer and Terminer and General Gaol Delivery. The law was clear upon that point, and if it was necessary he could cite numerous authorities. He could quite understand the argument that would be raised against his position, namely, that the House had no right to constitute themselves a court of revision or appeal to sit upon this sentence of outlawry. But the House was dealing with the rights and liberties of the people, and with a constitutional question, and he held they had a right to deal with objections to this sentence of outlawry which appeared on the face of it, and which showed that it was entirely void. His position would not be misunderstood in this matter. He had voted last session for the expulsion of RIEL from this House, and he would do so again, but not upon the ground that RIEL was an outlaw, because he held that RIEL had never properly been pronounced an outlaw. If it was proposed to go behind the record, and inquire into facts not apparent on the record, then he could understand the objection that might properly be taken to such a course. But the House was asked to take action upon the record, which, upon its face, he held to be void, and therefore he could not vote for the motion of the Premier, and declare upon the strength of that record that RIEL was an outlaw.

Hon. Mr. FOURNIER contended that the whole criminal law of England, including outlawry, had been introduced into Manitoba, and therefore the objection to the course proposed by the Premier was narrowed down to the question of the legality of the proceedings that had been taken in this matter. It might perhaps be difficult with the existing organization of the courts in Manitoba to follow strictly the process laid down in the statute, because the organization of the courts in Manitoba were different from the organization of the courts in England; but that was not a matter for this House to consider. This House did not sit as a court of revision or appeal to declare whether the proper formalities of the law had been complied with or not. They had no right to look behind the judgment of the court. Whether the court was competent or not, it was not for the House to decide. If they were satisfied that outlawry existed under our law, and that a regular court of the country had decided that RIEL was an outlaw, then they must abide by the decision. He would not contest the allegations of the hon. gentleman with regard to the mode of procedure. He admitted that it was very precise and special, and that it was requisite that all the formalties should be complied with, but that was not an argument to be taken here. He had no doubt that if LOUIS RIEL engaged the hon. gentleman as counsel, and availed himself before the court of the irregularities referred to, he might, perhaps, get rid of the sentence of outlawry. No doubt the sentence of outlawry was a very severe one, but at the same time the person of RIEL was protected by law, and no one could touch him, and if he was apprehended he might take advantage of all the informalities mentioned by the hon. gentleman. But what he (Mr. FOURNIER) contended was that this House had no right to pronounce upon these irregularities, and were bound to take cognizance of the record of outlawry now before them, seeing that *prima facia* a regular and proper sentence of outlawry had been pronounced by a competent court. He might say, moreover, that this sentence was the strongest evidence that could be adduced that LOUIS

RIEL was a fugitive from justice—stronger evidence than that upon which the House expelled him last session.

Sir JOHN A. MACDONALD said he quite agreed with the conclusion of the Minister of Justice, namely, that there was sufficient evidence before the House on which to expel LOUIS RIEL. At the same time he held that the member for Cardwell had conclusively established that these papers establishing outlawry were mere waste paper. He was inclined to believe that it was almost impossible on this continent without a new law to place any of HER MAJESTY'S subjects in the position of an outlaw. We had not the requisite machinery. The process of outlawry was only to be obtained by virtue of the importation of the English law, and the law relating to outlawry was so utterly inapplicable to the organization of our courts that he did not believe a valid judgment of outlawry could be obtained against any person for any crime. The Minister of Justice had held that the House ought not to go behind the sentence, but the objection taken was due to the jurisdiction in the beginning. If the court had no jurisdiction in the matter the House was bound to know it. Supposing that the court for the trial of small causes in Quebec issued a decree of outlawry against a man who was elected a member of this House, would this House be bound to act upon that decree and expel the man so sentenced? Or supposing the Court of Chancery undertook to act in criminal matters this House would be bound to say that that court had gone beyond its jurisdiction. He held that the seat was not void, that it was absolutely necessary to expel LOUIS RIEL, because until he was expelled he had the same right to take his seat in the House as any other member had. He agreed with the Minister of Justice that the record before the House was sufficient to establish that RIEL was a fugitive from Justice and that the same cause of expulsion existed now as existed last session. He would vote for expulsion, but he did not think the seat was void by this sentence of outlawry.

Mr. MILLS said it appeared to him that the line of argument pursued by the hon. member for Kingston and the hon. member for Cardwell was the strongest possible evidence the House could have of the impropriety of the course they had recommended. Those hon. members had discussed the question precisely as if the House was a Court of Appeal for the consideration of the legality of the judgment of outlawry which had been pronounced, a copy of which had been laid on the table of the House. Now, they were not called upon, as the hon. member for Cardwell had said, to declare that RIEL was an outlaw: there had been no such proposition submitted to the House. They were called upon to declare that RIEL had been adjudged an outlaw, and evidence of his having been so adjudged had been laid on the table of the House. If they followed English precedent, he thought it would be found that there were two cases in which Parliamentary law had recognised a right in the Commons to enquire into a judgment of the court, viz.; when the court was charged with either corruption or incompetency. It was only when a Judge was attacked that the House of Commons had any right to enquire into a judgment. Here, however, there was no charge made against the Judge—he was not impeached or proceeded against. That being the case the House had no right to review his judgment, to enquire whether it was valid or invalid, or whether it was one which, if taken before the court on writ of error, it might be well for the court to reverse. He would not enquire whether the court was a proper court to pronounce the judgment of outlawry; he did not think the House was competent to deal with the matter. The highest court of Manitoba had assumed it had jurisdiction, and he did not think the House was competent to say by its voice or vote that the highest court of that province had erred. The case of Lord COCHRANE afforded the strongest possible evidence of the impropriety of the course suggested by the member for Cardwell and the hon. member for Kingston. Lord COCHRANE was accused of making certain false representations, and improperly dealing with certain stocks, and was found guilty by the Court of Queen's Bench. He appeared in his place in the House of Commons, and when the motion was made for his expulsion; he contended that the judgment was an improper one, as he had been improperly joined with other parties, and that in consequence of that he was

not allowed to produce evidence which was necessary for his exculpation. Lord COCHRANE asked the House to make an inquiry itself, declaring his readiness to produce such evidence as would beyond all question establish his entire innocence of the charge made against him. What was the answer of the Attorney General? Why, that the House was not a judicial tribunal for reviewing decisions of the Court of Queen's Bench; that if any improper act had been done by the court, the party should adopt the legal course and seek the proper remedy; that the remedy was not to be sought in the House of Commons; that the House was precluded from entering into the merits of the question by the judgment of the court itself. Now, this House was in precisely this position: they had nothing to do with the regularity or irregularity of the proceedings against RIEL. They knew that he had been accused of murder, that he was a fugitive from justice, and because he was such they expelled him. The House was not called upon to review the judgment of the court, but simply, in consequence of that judgment, to take the necessary proceedings for the election of another member in the place of RIEL, whose seat in consequence of that judgment whether it was valid or invalid was vacant,—and until it was set aside it must be assumed to be valid by the House. The House should not be misled by the arguments of the hon. member for Cardwell and the hon. member for Kingston, which might be very proper and pertinent if addressed to a court reviewing the decision of the Court of Queen's Bench of Manitoba, but which were entirely out of place, under the circumstances in this House.

Mr. MASSON said that he and those on that side of the House with whom he worked and with whom he fought the question of amnesty up to that time were comparatively indifferent to the present discussion. It had been decided against everything they had said and done that they had lost the battle, and that RIEL must be expelled the House. The only difficulty now was to find the proper way of turning him out. The majority of the House had decided, upon the advice of the Government, that the settlement which they had offered the House was a final settlement, and that RIEL should be banished from this country for five years. The House had decided, consistently, on the advice of the Prime Minister, that RIEL should be banished, in order to mark the enormity of the crime, and now they should be asked, on the strength of the evidence before them, to vote for the expulsion of RIEL, irrespective of any legal proceedings that might have been taken. A more manly course to have pursued would have been to declare that RIEL, being guilty of a crime which necessitated his banishment from the country, he had no right to sit in this House. He had told hon. members when the question was previously before the House that in voting for the resolutions of the Government they voted that RIEL should be expelled from the House, and his prediction was that day verified. The Government did not go to the logical conclusion of their position, but they told their friends, "You are not voting for the expulsion of RIEL because he deserves to be expelled, but because he has been outlawed." The Minister of Justice had told the House that the reasons which induced them to expel RIEL last year were stronger now; that last year there may have been a doubt; that the Minister of Public Works was wrong perhaps last year in voting for the expulsion of RIEL, but this year he would be right in doing so because RIEL was outlawed. Why was RIEL an outlaw? RIEL was an outlaw because all along he (RIEL) and the people of Lower Canada had been led to understand that the whole of RIEL's case rested on the point, whether an amnesty had or had not been promised him. RIEL had been led to believe, as he (Mr. MASSON), and all those who had taken an interest in the subject had been led to believe, that an amnesty would soon be granted. At the time of the last elections it was proclaimed through Lower Canada that now that this Government had taken the place of the Government of the member for Kingston the amnesty would be sure to come.

Hon. Mr. CAUCHON—The hon. member for Kingston denies that the amnesty was promised.

Sir JOHN MACDONALD—I said the amnesty was sure to come.

Mr. MASSON—A few months before the meeting of Parliament last session they were told that if an amnesty had been promised, it would be granted and

that it was the intention of the Government to appoint a Royal Commission to inquire into and ascertain whether a promise of amnesty had or had not been made. Before the opening of the Session the Government decided not to appoint a Royal Commission, but to charge a committee with the duty of ascertaining whether an amnesty had been granted, which, if promised, would surely be granted. Were they to believe that RIEL did not know the intentions of the Government from those who were speaking for the Government through the Press. RIEL very properly said: "There is to be a Committee of Inquiry; I will not, therefore, submit myself to be tried for an offence when it is at this moment under discussion as to whether I shall be tried for it or not." Because the House should remember that an amnesty is not a pardon; it was more than a pardon. A pardon comes after the offence; an amnesty comes before the offence. The meaning of the word amnesty was not pardon, but obliteration; and the authority granting the amnesty forgets, as it were, that the act has been committed.

Hon. Mr. BLAKE — Because it is impossible to forgive what has not happened, so the amnesty does not precede the offence.

Mr. MASSON—The House decided to have a Committee of Inquiry. In the face of that decision, was there a fair-minded man who would say that RIEL was bound to come and offer himself for trial when at that very time they were enquiring into the question, whether he was entitled to a complete amnesty, and whether he should come to trial at all. RIEL, very properly, did not come forward at that particular time. During the session of Parliament could RIEL, who was a member of the House, come forward and deliver himself to the tribunal? They were told that it could clearly be proved that an amnesty had been promised. After the evidence was taken by the committee, the people of Lower Canada were told that they must not hurry the question, because the evidence must be sent to England, so that the Imperial authorities might see it. He (Mr. MASSON) was not casting blame on the Minister of Justice, but was showing that the action of the Government from the very beginning had been such as to induce RIEL to believe that the question of amnesty was being honestly and fairly discussed with a view to ascertain whether he was entitled to an amnesty or not. Months afterwards, the papers had not been sent to England, and up to the commencement of this session the people of Quebec were led to believe that, on the evidence taken by the committee, RIEL was assured of his amnesty. The question had only been decided a few days ago, when the House resolved that so far from RIEL being entitled to an amnesty, he was entitled to banishment. The logical consequence of the vote of the House, given a few days ago, was that RIEL should be expelled. The only thing that remained for him (Mr. MASSON) to do was, to be consistent with himself. In the first place, there were doubts about the outlawry. In the second place, he considered that RIEL was entitled to his seat in this House, as he was entitled last year, and consequently he was determined to vote against any motion that would have the effect of turning RIEL out of the House, and in favor of any motion which would have the effect of retaining RIEL in his place.

Hon. Mr. CAUCHON hoped the hon. member from Terrebonne did not claim for himself all the consistency and patriotism there was in the House. The hon. gentleman complained that he was abandoned by those around him, but he had been abandoned before when his chief failed to vote on a resolution for a complete amnesty. The hon. gentleman contended that the proceedings of to-day were a consequence of the vote of the other day, but was it the same last year when LOUIS RIEL was expelled from the House. The hon. gentleman's object was to quash these proceedings in order that RIEL might be expelled a second time and that hon. gentleman opposite could go to the country and declare that they had done a very patriotic thing. The question was this—whether this judgment should be discussed. The House was not a court of error, and even though it was the party affected by this judgment was not here to ask revision. The English course was the proper one to pursue. If this was a judgment at all, LOUIS RIEL was no longer a member of this House and a writ must be issued for the election of a member to represent Provencher in this House. Otherwise the constituency would

remain unrepresented in this House for four years more. He was sure that when both sides of this question were laid before the people, and the passions which it aroused were swept away by time, the country would judge it in its true light. He had no objection to vote for the motion as it stood. The amnesty question had nothing to do with it. The fact was before the House that Provencher was not represented because LOUIS RIEL had been declared an outlaw and it was their duty to have a representative elected.

Hon. Mr. GEOFFRION said the hon. member for Terrebonne had contrasted the position occupied by Quebec members of the Cabinet on this question now, with that which they held when in opposition, but he should remember that they were not responsible for LOUIS RIEL's outlawry. It was the personal friends of hon. gentlemen opposite—Messrs. ROYAL, GIRARD and DUBUQUE, members of the Manitoba Government. It was by them that proceedings were taken against LOUIS RIEL, and if steps were not taken to set aside the judgment of the Court it was the fault of his legal advisers there and of nobody else. He (Mr. GEOFFRION) and his colleagues were responsible for the policy of this Government on the RIEL question. He noticed the hon. member for Joliette smiling, but he was prepared to meet the hon. gentleman in that constituency and show that while hon. gentlemen opposite were trying to excite popular feeling against the Government for not giving RIEL a complete amnesty. their friends in Manitoba, Messrs. ROYAL, DUBUQUE and GIRARD were declaring him an outlaw. This Government was merely pursuing the course necessitated by the action taken in Manitoba by the friends of the hon. gentlemen opposite. The only course for this Government to pursue was to receive the judgment of the court of Manitoba.

Sir JOHN MACDONALD—A court without jurisdiction in this case.

Hon. Mr. GEOFFRION contended that this House was not a Court of Appeal, and could not enter into the question of the validity of the judgment.

Mr. BABY, in reply to the personal reference made to him by the hon. member for Vercheres, said his smile was at the enthusiasm of the hon. gentleman who, while in opposition, would accept nothing but a complete amnesty for LOUIS RIEL, but being in power accepted a mongrel amnesty. The hon. gentleman pronounced the Quebec members of the late government and their supporters traitors to the Metis, because they did not insist upon a complete amnesty, at the same time that his colleagues, the present Premier and the hon. member for South Bruce, were offering a reward for the arrest of RIEL. Now, who were the traitors to the Metis? The hon. member for Terrebonne refused a seat in the late Cabinet because his leader would not promise a complete amnesty: did the hon. member for Vercheres exact such terms when he became a member of the present government? He (Mr. BABY) was sure the hon. gentleman did not, for he would have kept his word and resigned his portfolio when the Government measure was brought down. He concluded by contending that the House had a right to examine the judgment and say whether it had been rendered by a legally constituted tribunal or not.

Hon. J. H. CAMERON rose to move an amendment, but was ruled out of order, as he had already spoken on the question. He handed the amendment to Mr. PLUMB and resumed his seat.

Mr. PLUMB moved that all after the word "that," in the original motion be struck out and the following inserted:—"It appears on the face of the record of proceedings brought before this House that no legal or valid judgment of outlawry has been rendered against the said LOUIS RIEL, member for Provencher, and it also appears from the same record that the said LOUIS RIEL, having been indicted for murder, has not been arrested nor appeared nor pleaded to said indictment nor surrendered to take his trial thereon, but has been and continues to be voluntarily absent and a fugitive from justice from the Province of Manitoba. Be it therefore resolved, that the said LOUIS RIEL shall be and he is hereby expelled from this House."

Mr. MASSON said he had no doubt, when the hon. Minister of Inland Revenue had time to reflect upon the speech he had made, he would regret it. There was nothing said by any hon. member in this discussion which would justify the hon. Minister in making such an onslaught upon persons not in this House, whose he conduct had not approved of. He

(Mr. MASSON) supposed the hon. gentleman and his friends had in this matter acted quite conscientiously, and that they desired to do what was right. They seemed to feel that the position in which they were placed was not exactly what they could wish it to be ; and their conduct reminded him of the husband who went home late, and in order to be saved a scolding began himself to scold his wife. The hon. Minister knew that the solution of the question proposed by the Government would not please his friends in Lower Canada, that there was a strong feeling existing there against their policy on the question now before the House, and he (the MINISTER) desired that something should be said or done which would remove the remembrance of these things from the public mind. His plan appeared to be a general attack upon the Conservative party in Manitoba and Lower Canada. He (Mr. MASSON) had avoided reproaching gentlemen upon the other side of the House, and had indeed been guarded in what he said. He did not make any attack upon hon. members, or if anything he said had been so construed, it was quite foreign to his intention. What he had said was that if Mr. RIEL did not come forward for his trial, it was due to the action of hon. gentlemen opposite themselves. They had promised that an amnesty would be forthcoming, as gentlemen upon this side of the House had promised an amnesty, and in consequence of that statement Mr. RIEL had not come forward. Surely that was no attack upon the hon. gentleman or his friends. He (Mr. MASSON) had referred to the outlawry because the Minister of Justice had argued that those who had voted against the expulsion last year—and would have a difficulty in voting otherwise this year—could vote for the issue of a new writ consistently, and thus relieve themselves from the consequences which a direct reversal of last year's vote would necessarily entail in Lower Canada. He (Mr. MASSON) believed that members on the other side of the House from the Province of Quebec wished for a complete amnesty, but preferred to vote for what had been described by an hon. member as a "mongrel motion" rather than permit the gentlemen upon this (the Opposition) side of the House to go over to that.

Hon. Mr. FOURNIER said he had not been quite fairly represented by the hon. member for Terrebonne. What he had said was that, while in no measure receding from the position he, like other hon. members, had taken on this question last year, the position in which Mr. RIEL was now placed, and the position in which the House found itself in regard to him, was entirely different from what it had formerly been. The law now pointed out the course they were bound to pursue. There was to be found upon the records of this House a precedent for the action about to be taken. An hon. member had in that case been expelled because he was a fugitive from justice. Outlawry amounted to the same thing as a conviction, and involved the same consequences. The motion before the House was based upon the legal consequences of the sentence of outlawry, by the operation of which Mr. RIEL had become disqualified to hold a seat in this House. He did not believe there was a single member in the House prepared to deny the legal proposition that Mr. RIEL, being outlawed, he was disqualified from taking his seat.

Hon. Mr. CAUCHON said he understood the Minister of Justice to mean that if the House had expelled Mr. RIEL last year, there were greater grounds for his expulsion this year.

Hon. Mr. FOURNIER repeated that he had not departed from the position he took last year, but the fact of RIEL's outlawry left no course except that which it was proposed the House should now take.

Mr. MACDONNELL (Inverness) said there were two points which it was the duty of the House to consider. First, there were the facts and the evidence which were before them, and in the second place there was the authority of the court before which the process of outlawry had been taken. The question of fact and of evidence was not one for this hon. House to consider. There was but one tribunal which could take cognizance of the matter, and until the sentence had been reversed by that tribunal, it stood good in all tribunals. So far it had not been set aside, and the House was bound to regard it as legal and proper. With regard to the authority of the tribunal, the case quoted by the right hon., the leader of the Opposition, was not in point. The Court of

Chancery was not a court of criminal jurisdiction. It had not, now, and never had, the power of taking cognizance of processes of outlawry. Hon. members were aware that the Court of Queen's Bench, and that court alone, had jurisdiction. In all countries processes of outlawry were taken before the Court of Queen's Bench.

Sir JOHN MACDONALD — They never are.

Mr. McDONNELL explained that he meant that the Court of Queen's Bench originally had cognizance of all matters of crime.

It being six o'clock, the House rose for recess.

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AFTER RECESS.

Mr. MACDONNELL (Inverness) said that since the House rose he had referred to the criminal statute of 1869, and he found that the process of outlawry was recognized by that statute, which being passed after Manitoba was united to Canada, extended to that Province. That being the case the next question was whether the proceedings in outlawry had been regularly taken. He contended that was not a question for this House at all, because the House must act upon the maxim that what was done by a public official must be presumed to be rightly done until the contrary is proved.

Mr. FLESHER said he had listened attentively to the debate, but there were still one or two points he was not quite clear upon. The Minister of Justice had not met the argument of the member for Cardwell to the effect that the machinery for carrying outlawry into operation was defective, and that the proper formalities had not been observed. Surely this was a matter that the House should take cognizance of. Supposing a case was brought before a magistrate, it would be his duty to inquire whether the case was one which should properly come before him, and whether the warrant was regularly made out. If this was done in small matters, how much more necessary was it for the House to follow the same principle in dealing with so grave a matter as the expulsion of a member on the ground of outlawry, especially when it was remembered that the House was acting *ex parte* in the matter. Supposing that this sentence of outlawry should be set aside subsequently what position would the House be in after having declared that the outlawry was valid and had expelled RIEL on the strength of it. There was no reason why the course proposed by the Premier should be taken in preference to the course taken last session.

Hon. Mr. HOLTON said hon. gentlemen opposite had argued that there was no machinery for giving effect to outlawry in this country. Chief Justice WOOD sitting judicially had declared LOUIS RIEL to be outlaw in a judgment which was now before the House.

Hon. J. H. CAMERON—No, no! That is a mistake. The Chief Justice has nothing to do with the judgment of outlawry. All that he had done was to certify that the record was the record before the court.

Hon. Mr. HOLTON—It is quite clear that a machinery for this purpose has been found and has been certified to by the Chief Justice sitting in his judicial capacity.

Hon. J. H. CAMERON—No.

Hon. Mr. HOLTON went on to say that the whole scope of the argument on the other side was that the Chief Justice was wrong, and that this House was sitting as a court of review upon the action of the court in Manitoba. He maintained that they must accept the judgment of the court for Parliamentary purposes. If the party interested felt aggrieved, and if there were these irregularities that had been pointed out, he could seek redress from the courts; but for all Parliamentary purposes they had ample evidence that LOUIS RIEL had been declared an outlaw, and the effect of that declaration was to void the seat. He would not go into the political aspect of the case; he simply desired to point out what he believed to be the only question before the House namely; the sufficiency and the authenticity of the judgment of outlawry for the purpose of governing their action. Whether the proceedings were regular or irregular, it was quite incompetent for the House to decide. With all his respect for the legal abilities and Parliamentary experience of the hon. members from Kingston and Cardwell, he would not accept the doctrine of either of them as to the regularity or irregularity of the proceedings, the net

result of which they had now before the House. That judgment properly authenticated was, he maintained, all that they required to govern their Parliamentary action.

Sir JOHN A. MACDONALD said the certificate of the SPEAKER, or of the Clerk of the House, accompanying the proceedings of the House, would only mean that it was certified that the copies were true copies. So in this case Chief Justice WOOD certified that the papers now before the House were the papers connected with this case, and being so certified they must be held by the House to be true copies. But as the SPEAKER's or the Clerk's certificate would go no further than to certify that the copies were true copies, so Chief Justice WOOD's certificate went no further than to certify that the documents were true copies of the papers that appeared in the court in Manitoba. It did not in any way give a character to these documents. They must stand upon their own merits. If defective they must fall: if sufficient they would be maintained. Yet the hon. gentleman said that for Parliamentary purposes these must be held to be correct, and a member of this House must be expelled on them whether correct or not. It was said he could go to the Court of Appeal of it was incorrect, but suppose the appeal should be successful what satisfaction would it be to be told "You ought to have sat for four years." In the case in which Lord DENMAN and the Court of Queen's Bench decided against the jurisdiction of Parliament, Sir ROBERT PEEL rose in his place and appealed to Parliament against the judgment of the Court of Common Pleas. He said no matter how the law might have been construed, the House of Commons could not be denuded of its jurisdiction; and that was a case in which the lawyers in the House of Commons did not say that the Court of Common Pleas was wrong. In this case, the House was asked to declare a seat vacant on a document that was rotten, on its face; that was not worth the paper it was written on. There was no legal man in the House who would venture to say that the judgment of outlawry, as declared in these documents, would be sustained where British law existed, yet the House was told that for Parliamentary purpose this rotten, illegal paper must be accepted as correct. The House should take the honest, straightforward course which the hon. gentlemen opposite voted last year, and ought to vote this year—to say that the man who was a fugitive from justice and expelled for that reason, was still a fugitive from justice and should be expelled again.

Hon. Mr. MACKENZIE was surprised that the hon. gentleman should use such vehement language as to call the judgment of a court a rotten document. It was not respectful to the court or to this House. The mere fact that the hon. gentleman characterized these documents as rotten did not make them so. The sentence of outlawry was equal to conviction of crime, and that having been pronounced. the House was not to go behind the record, but simply to accept the judgment of the court and act accordingly. The right hon. gentleman seemed to be extremely anxious that this man should be expelled from the House; the hon. members for Bagot and Terrebonne wished that he should not, but they were all working most harmoniously in order to obtain a common ground upon which they could vote. A great blunder had been made in framing this motion, and he was anxious to see how the hon. gentleman to whom he had alluded would vote on it. They were all exceedingly anxious to put members on the Government side of the House in an awkward position, but they would not accomplish their object. The motion before the House was based upon the procedure of the English House of Commons, and no one would venture to say that Lord JOHN RUSSELL was not quite as good an authority as the hon. member for Kingston. He defied the hon. gentleman to find a single instance where the House of Commons had ever gone behind a verdict of a court to criticise it. The verdict of the court in the SMITH O'BRIEN case was sent down to the Commons from the House of Lords. It might have been competent for any member of the House of Commons to raise an objection to that judgment and state that the House of Lords and the Court of Appeal were wrong, but no one thought of such a thing, and it had been left to a Parliamentarian in Canada to impugn the judgment of a court and characterize it in such strong language.

Sir JOHN MACDONALD pointed to the case of Mr. JOHN MITCHELL, in which

such a great authority as Mr. GLADSTONE objected to a summary decision upon the ground that the conviction of Mr. MITCHELL was not sufficient to remove him from the House at once, and asked for a postponement in order that the whole question might be discussed and not decided as it was attempted here, upon the mere production of a paper. These were parallel cases. In each the document was laid upon the table.

Hon. Mr. HOLTON—What document? There was only a telegram.

Sir JOHN MACDONALD said there was more. The judgment paper was laid before the House, and the question about the subsequent escape was discussed. The two cases were altogether similar.

Hon. Mr. HOLTON said the return had not been received, but the intelligence of Mr. MITCHELL'S election was received by telegraph. Proceedings were at once taken, and Mr. GLADSTONE urged that such precipitancy was not desirable. It was not pretended that the judgment of the court was not sufficient evidence of the disqualification of JOHN MITCHELL.

Mr. ROSS (Prince Edward) said he did not want to argue legal points. He would merely mention the fact that in 1871 he drew the attention of this House to the SCOTT murder, and had always advocated the punishment of the perpetrators of that cruel deed. The other night he voted against amnesty and partial amnesty. To-night he would vote for the strongest motion condemning LOUIS RIEL. The amendment declared there was no proof of outlawry, and if it were carried RIEL could again become a candidate, and be elected a member of this House. The motion of the Minister of Justice would prevent that, and as it was the strongest, he would vote for it. He took an independent position in this House.

Hon. Mr. BLAKE said the hon. member for Kingston had called attention to the fact that in the most recent case of which we had cognizance, Mr. GLADSTONE asked for delay. The House had to attend not to what a fallen leader (who fell without dishonour, however,) had to say, but to what the House of Commons did. They did not listen to the appeal of Mr. GLADSTONE. On the contrary, by an overwhelming majority they determined that Mr. GLADSTONE was wrong, and that the proposition to proceed immediately, was the correct one. This was a precedent which the hon. Premier could quote.

At 8:30 the members were called in and a vote was taken on the amendment, which was rejected on the following division :—

YEAS :

Messieurs

Bowell,	McQuade,
Cameron, (*Cardwell*),	Mitchell,
Colby,	Monteith,
Domville,	Orton,
Ferguson,	Platt,
Flesher,	Plumb,
Jones (*Leeds*),	Rochester,
Kirkpatrick,	Stephenson,
Little,	Thompson (*Caribou*),
Macdonald (*Kingston*),	Tupper,
McMillan,	Wallace (*Norfolk*),
McCallum,	White.—24.

NAYS :

Messieurs

Appleby,	Kirk,
Archibald,	Ladamme,
Baby,	Laird,
Borron,	Lajoie,
Béchard,	Landerkin,
Bernier,	Langlois,
Bertram,	Lanthier,
Biggar,	Macdonald (*Cornwall*),
Blain,	Macdonald (*Glengarry*),
Blake,	MacDonnell (*Inverness*),
Borden,	Macdougall (*Elgin*),
Bourassa,	MacKay, (*Cape Breton,*)
Bowman,	Mackenzie (*Lambton*),
Boyer,	Mackenzie (*Montreal*),
Brouse,	Maclennan,
Brown,	Masson,
Bunster,	McCraney,
Burk,	McDonald, (*Cape Breton*)
Burpee (*St. John*),	McDougall, (*Renfrew*),
Burpee (*Sunbury*),	McGregor,
Cameron (*Ontario*),	McIntyre,
Campbell,	McIsaac,
Carmichael,	McKay (*Colchester*),
Caron,	Metcalfe,
Cartwright,	Mills,
Casey,	Moffat,
Casgrain,	Montplaisir,
Cauchon,	Moss,
Charlton,	Mousseau,
Cheval,	Murray,
Church,	Norris,
Cimon,	Oliver,
Cockburn,	Ouimet,
Coffin,	Paterson,
Costigan,	Pelletier,
Coupal,	Perry,
Cunningham,	Pettes,
Cushing,	Pickard,
Dawson,	Pinsonneault,
DeCosmos,	Pouliot,
Delorme,	Power,
Desjardins,	Pozer,
De St. Georges,	Ray,
De Veber,	Richard,
Devlin,	Robillard,
Dewdney,	Robitaille,
Dymond,	Ross (*Durham*),

Ferris,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Fréchette,
Galbraith,
Gaudet.
Geoffrion,
Gibson,
Gill,
Gillies,
Gillmor,
Gordon,
Hagar,
Hall,
Harwood,
Holton,
Horton,
Hurteau.
Irving,
Jetté,
Jones, (*Halifax*),
Kerr,
Killam,
Ross (*Middlesex*),
Ross (*Prince Edward*),
Rouleau,
Ryan,
Rymal,
Scatcherd,
Schultz,
Scriver,
Sinclair,
Skinner,
Smith (*Peel*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson(*Haldimand*),
Thomson (*Welland*),
Tremblay,
Trow,
Vail,
Wallace (*Albert*),
Wilkes,
Wood,
Yeo,
Young—146.

The original motion was then carried on the following division:—

YEAS:

Messieurs

Appleby,
Archibald,
Borron,
Béchard,
Bernier,
Bertram,
Biggar,
Blain,
Blake,
Borden,
Bourassa,
Bowell,
Bowman,
Boyer,
Brouse,
Brown,
Burk,
Burpee (*St. John*),
Burpee (*Sunbury*),
Cameron (*Ontario*),
Campbell,
Carmichael,
Cartwright,
Casey,
Casgrain,
Cauchon,
Charlton,
Cheval,
Church,
Cockburn,
Coffin,
Costigan,
Cunningham,
Cushing,
Dawson,
DeCosmos,
Delorme.
De St. Georges,
De Veber,
Landerkin,
Langlois,
Little,
Macdonald (*Cornwall*),
Macdonald (*Glengarry*),
MacDonnell (*Inverness*),
Macdougall (*Elgin*),
MacKay (*Cape Breton*),
Mackenzie (*Lambton*),
Mackenzie (*Montreal*),
Maclennan,
MacMillan,
McCallum,
McCraney,
McDougall (*Renfrew*),
McGregor,
McIntyre,
McIsaac,
McKay (*Colchester*),
McQuade,
Metcalfe,
Mills,
Moffat,
Monteith,
Moss,
Murray,
Norris,
Oliver,
Orton,
Paterson,
Pelletier,
Perry,
Pettes,
Pickard,
Pouliot,
Power,
Pozer,
Ray,
Richard,
Robillard,
Rochester,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Ryan,
Rymal,
Scatcherd,
Schultz,
Scriver,
Sinclair,
Skinner,
Smith (*Peel*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Cariboo*),
Thompson (*Haldimand*)
Thomson (*Welland*),
Tremblay,
Trow,
Vail,
Wallace (*Albert*),
White,
Wilkes,
Wood,
Yeo,
Young—138.

NAYS:

Messieurs

Baby,
Bunster,
Cameron (*Cardwell*),
Caron,
Cimon,
Colby,
Coupal,
Desjardins,
Domville,
Flesher,
Gaudet,
Gill,
Harwood,
Hurteau,
Jones (*Leeds*),
Kirkpatrick,
Lanthier,
Macdonald (*Kingston*),
Masson,
McDonald (*Cape Breton*)
Mitchell,
Montplaisir,
Mousseau,
Ouimet,
Pinsonneault,
Platt,
Robitaillie,
Rouleau,
Stephenson,
Tupper,
Wallace (*Norfolk*)—31.

Hon. Mr. MACKENZIE moved that Mr. SPEAKER do issue his warrant to the Clerk of the Crown in Chancery to issue a new writ for the electoral district of Provencher, in the room of LOUIS RIEL, adjudged an outlaw.

Mr. SPEAKER—I am not sure that this motion is in order. I have not looked at the statutes, but my impression is that the SPEAKER issues his warrant without any motion.

Hon. Mr. MACKENZIE said under the Controverted Elections Act the House had not divested itself of the control over the issue of new writs, except in certain specified cases, such as the death or resignation of a member, or the return

of a Judge declaring the seat vacant. In the case of O'DONOVAN ROSSA, a motion was made for the issue of a new writ, although that took place after the passage of the Controverted Elections Act.

Hon. Mr. FOURNIER said that in the absence of any enactment depriving the House entirely of control over the issue of writs, the House retained that control, except in the cases specially excepted, and this case was not one of them.

Sir JOHN A. MACDONALD agreed with that view, and said he would vote for the motion. He wished, however, it to be understood — and his declaration would appear in *Hansard*—that he did not agree with that portion of the resolution which stated that RIEL had been adjudged an outlaw, because he did not believe there was any evidence before the House establishing that he was an outlaw. Still he would vote for the motion because the seat ought to be filled.

Hon. Mr. MITCHELL said he had voted for the amendment of the hon. member for Cardwell because he was under the impression that the proceedings submitted to the House did not satisfactorily establish the fact that LOUIS RIEL was legally adjudged an outlaw. The House, however, had declared that LOUIS RIEL was an outlaw, and therefore he was bound, having voted for his expulsion, to vote for the issue of a new writ.

Hon. Mr. BLAKE said the House had not declared LOUIS RIEL an outlaw; the House had declared that LOUIS RIEL had been adjudged an outlaw. The right hon. member for Kingston had stated he would vote for the issue of a new writ, and yet he held that RIEL had not been adjudged an outlaw. Now if RIEL was not adjudged an outlaw the seat was not vacant, because RIEL had not been expelled. He (Mr. BLAKE) would leave it to the hon. gentleman to reconcile the two positions either in *Hansard* or elsewhere.

Hon. J. H. CAMERON observed that having placed upon the records of the House their opinion that RIEL was not an outlaw and that he should be expelled, and the House having declared that he was an outlaw, there could now be no inconsistency in his hon. friend from Kingston, and those who voted with him in voting that a new writ be issued; they would vote for a new writ because they had voted that RIEL should be expelled, and the seat should not remain vacant.

Hon. Mr. MACKENZIE wished to point out the illogical position of the hon. gentleman opposite. He had taken the strongest ground against anything being done that might appear illegal, but now he declared that a new writ should be issued though RIEL had not been expelled.

Hon. J. H. CAMERON—I declare he is expelled.

Hon. Mr. MACKENZIE—The hon. gentleman had voted that RIEL had not been adjudged an outlaw; certainly he was not expelled; and yet the hon. gentleman holding that he was not an outlaw was ready to vote for the issue of a new writ before RIEL was expelled, and therefore according to his view before the seat was vacant.

Sir JOHN A. MACDONALD said he and others had stated at the outset that although the record before the House was insufficient to establish the fact of outlawry it was quite sufficient to establish the fact of LOUIS RIEL being a fugitive from justice, and therefore he voted now as he voted last year consistently; but the hon. gentleman opposite did not vote consistently.

Hon. Mr. CAUCHON—That is not the question before the House. The hon. gentleman may vote consistently, but he cannot vote logically.

The House then divided on the motion which was carried on the following division:—

YEAS:

Messieurs

Appleby,	Landerkin,
Archibald,	Langlois,
Borron,	Little,
Bechard,	Macdonald (*Cornwall*),
Bernier,	Macdonald (*Glengary*),
Bertram,	Macdonald (*Kingston*).
Biggar,	Macdougall (*Elgin*),
Blain,	MacKay (*Cape Breton*),
Blake,	Mackenzie (*Lambton*),
Borden,	Mackenzie (*Montreal*),
Bourassa,	Maclennan,
Bowell,	MacMillan,
Bowman,	McCallum,
Boyer,	McCraney,
Brouse,	McDougall (*Renfrew*),
Bunster,	McGregor,
Burpee (*St. John*),	McIntyre,
Burpee (*Sunbury*),	McKay (*Colchester*),
Cameron (*Cardwell*),	McQuade,
Cameron (*Ontario*),	Metcalfe,
Campbell,	Mills,
Carmichael,	Mitchell.

Cartwright,	Moffat,
Casey,	Monteith,
Casgrain,	Moss,
Cauchon,	Murray,
Charlton,	Norris,
Cheval,	Oliver,
Church,	Paterson,
Cockburn,	Pelletier,
Coffin,	Perry,
Costigan,	Pettes,
Coupal,	Pickard,
Cunningham,	Platt,
Cushing,	Pouliot,
Dawson,	Pozer,
Delorme,	Ray.
De St. Georges,	Richard,
De Veber,	Robillard,
Devlin,	Rochester,
Dewdney,	Ross (*Middlesex*),
Domville,	Ross (*Prince Edward*),
Dymond,	Ryan,
Ferguson,	Rymal,
Ferris,	Scatcherd,
Fiset,	Schultz,
Fleming,	Scriver,
Flesher,	Sinclair,
Forbes,	Skinner,
Fournier,	Smith (*Peel*),
Frechette,	Snider,
Galbraith,	Stephenson,
Geoffrion,	Stirton,
Gibson,	St. Jean,
Gillies,	Taschereau,
Gordon,	Thibaudeau,
Hagar,	Thompson (*Cariboo*),
Hall,	Thompson (*Haldimand*),
Holton,	Thomson (*Welland*),
Horton,	Tremblay,
Irving,	Trow,
Jette,	Tupper,
Jones (*Halifax*),	Vail,
Jones (*Leeds*),	Wallace (*Albert*),
Kerr,	Wallace (*Norfolk*),
Killam,	White,
Kirk,	Wilkes,
Kirkpatrick,	Wood,
Laflamme,	Yeo,
Laird,	Young—141.
Lajoie,	

NAYS:

Messieurs

Baby,	Lanthier,
Caron,	Masson,
Cimon,	Montplaisir,
Desjardins,	Mousseau,
Gaudet,	Ouimet
Gill,	Pinsonnault
Harwood,	Robitaille,
Hurteau.	Rouleau—16.

QUESTION OF PRIVILEGE.

Hon. Mr. MACKENZIE said—Mr. Speaker, You mentioned a case of an hon. member of this House, the other evening, who had voted inadvertently before he had taken the oath that he was required to take by law. I said at the time I did not think it would be competent for you, sir, to strike the name off the roll. I have since examined similar cases occurring in England, and I did not find that the name was struck off; but in one case, —I will furnish the reference to hon. gentlemen opposite—the voting without having taken the oath was held to operate as vacating the seat, and a new writ was moved for immediately.

Mr. McCALLUM—The seat is vacant now.

Hon. Mr. MACKENZIE—The hon. member for Monck says the seat is vacant now; but I think the hon. gentleman is quite capable of filling both seats. I was about to say, Mr. SPEAKER, that in that particular case, and it is the only case I have been able to find, a motion was made for the issue of a new writ, and immediately following it was a motion to introduce a Bill of Indemnity. The hon. gentleman has undoubtedly subjected himself to the penalties imposed by law upon such members as sit and vote without having taken the oath prescribed by law, and my impression is at present (and I state it subject to the opinion of the House which I invite) that we cannot strike the name off the division list. We must consider that the division might have been one carried by a majority of one, or it might have been carried by the casting vote of the SPEAKER; it might have, therefore, been an important division, and we have to consider what the effect would be if the vote were struck off such a division as that. As the name does not appear to have been struck off in the English House of Commons, I propose, subject as I say to the opinion of old members of the House who have thought over this question, simply to have a Bill of indemnity introduced that will be held to cover any wrong the hon. gentleman has committed in the premises.

Right Hon. Sir JOHN A. MACDONALD hoped the Hon. First Minister would be kind enough to hand over the case which was a startling one, and he would take the earliest opportunity of looking into it. It would be an unfortunate circumstance, and one which the House would deplore, if an inadvertance of that kind should compel any hon. member to vacate his seat. He thought the correct course to pursue was to introduce a Bill of indemnity, so as to protect the hon. member from the possibility of an action. The case ought to be examined by members of the

House, in order that they might decide what course should be adopted, and in order to ascertain what difference, if any, existed between the law of England and our law.

Mr. SCATCHERD said that when a somewhat similar case came up last session, it was referred to the Committee on Privileges and Elections for them to report thereon, and a Bill was introduced founded on their report.

Sir JOHN A. MACDONALD—That was Mr. PERRY'S case, I believe.

Mr. SCATCHERD—Yes.

Hon. Mr. BLAKE said that in that case the hon. member had not taken his seat. If serious consequences were expected to follow, it would be well for the hon. gentleman who was supposed to represent Centre Wellington, not to take his seat in the meantime.

Hon. J. H. CAMERON said the reason why the case which arose last session was referred to the Committee on Privileges and Elections was because there was some dispute about the facts. In the present case there was no dispute about the facts; it was perfectly clear that the hon. gentleman did vote before he took the oath, and the committee therefore would have nothing to do beyond what the Premier had already promised to do, to prepare a Bill for the consideration of the House. But the other suggestion was one that was worthy the consideration of the hon. member for Centre Wellington, namely; whether it was not advisable to wait until the Bill passed before he took his seat.

Hon. Mr. BLAKE said that these cases were referred in England to a Select Committee and here to the Committee on Privileges and Elections, although they might not involve any question of disputed facts, it being the function of the committee to search for precedents, and bring them before the notice of the House. The leader of this House had stated that he had found a precedent, and if that was the only one in existence, and no more light could be obtained, then it could be discussed in the full House at some future time. It appeared from the statement of the hon. gentleman that this was a much more serious question than he (Mr. BLAKE) had anticipated, and it, therefore, might be proper for the House to adopt the course suggested by the hon. member for Middlesex.

Sir JOHN MACDONALD asked the leader of the Government to allow the matter to stand over till to-morrow, so as to allow members an opportunity of examining the English case which had been brought forward, and the House would then be better able to decide whether the present case should be referred to the Committee on Privileges and Elections or not.

The order was allowed to stand until to-morrow.

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at 9.30.

HOUSE OF COMMONS,

Thursday, February 25th, 1875.

The SPEAKER took the chair at three o'clock.

BILLS INTRODUCED.

The following Bills were introduced and read a first time.

Mr. BERNIER—To amend the Act relating to trade marks and industrial designs.

Mr. BROUSE—For the prevention of accidents entailing loss of life in breweries and distilleries. He explained that on Friday last, in the town of Prescott a valuable life had been lost by a person falling into a mash tub. During the past few years, no less than five lives had been lost in a similar manner in Prescott, and such accidents were of frequent occurrence in various parts of the Dominion. The object of this Bill was to prevent such accidents in future.

CARRIERS BY LAND AND WATER.

Mr. DEVLIN introduced a Bill defining and settling the duties, rights and responsibilities of carriers by land and also carriers by water. This Bill, he said, was founded on suggestions of the Dominion Board of Trade, and had been carefully prepared with a view to providing a remedy for the difficulties from which the commerce of this country had suffered for a long time past.

Mr. SPEAKER said the hon. member for Hamilton had introduced a Bill on the same subject.

Hon. Mr. HOLTON remarked that this Bill covered a different ground. At all events it should pass the first reading.

Hon. Mr. TUPPER suggested that the two Bills should be referred to the same committee to be amalgamated. This would obviate the difficulty of having two laws on the same subject in the statute book of one year.

Hon. J. H. CAMERON said these Bills hsould be carefully considered because they might conflict with the rights of the Local Legislatures. He had not examined this Bill, but he knew there were provisions in the measure introduced by the hon. member for Hamilton which most certainly came within the jurisdiction of the Local Legislature. If, in such cases, the Government did not themselves determine upon a certain course to be pursued, they ought to see in smce way that a special committee, or a sub-committee of the Railways and the Banking and Commerce Committees, should examine such Bills carefully with a view to recommending some system to be followed in reference to these measures.

Hon. Mr. MACKENZIE entirely agreed with the suggestion made by the hon. members for Cumberland and Cardwell. It was understood when the hon. member for Hamilton introduced his Bill that it should be referred to a sub-committee of the Railway Committee, composed of gentlemen learned in the law and experienced in business. It would be advisable to refer this Bill to the same committee and have the two amalgamated. The Government would take their own course, but would invite the assistance of hon. members opposite in dealing with this matter.

Hon. Mr. MITCHELL would have very much preferred to see this question taken up by the Government, as it affected the travel, trade and commerce of the country, which ought not to be dealt with according to the views of a private member of this House. It was taken up by the late administration, and it seemed to him the same course should be pursued by the present Government after these bills were reported from the committee.

Mr. MILLS suggested the propriety of the House appointing a Judicial Committee, of which the Minister of Justice would always be one, to whom any Bill respecting which there was any doubt as to the jurisdiction of this Parliament might be referred. In the two Bills adverted to in the present instance, not only the question of jurisdiction, but questions relating to trade and commerce were raised, and which the Committee on Banking and Commerce might be a very proper committee to deal with the latter questions, they might not be the best committee that could be found for considering the former. Under a limited constitution like ours the question of jurisdiction might be raised upon many measures, and it would be well to have a committee whose special functions would be to consider such measures with reference to the question of jurisdiction, and that point being disposed of, they could be dealt with by the appropriate committees.

Bill read a first time.

RETURN OF A MEMBER.

Mr. SPEAKER—I have the honor to inform the House that the clerk has just received the certificate of the Clerk of the Crown in Chancery, informing him that JAMES H. FRASER is returned as duly elected to represent the city of London.

QUESTION OF PRIVILEGE.

Hon. Mr. MACKENZIE—I called the attention of the House, yesterday, to the case of the hon. member for Centre Wellington who sat and voted in this House before he became qualified to do so by taking the oath prescribed by law. I stated, also, that in a similar case in England the member who had voted in this manner voided his seat by the act of voting, and that the course pursued was to move at once for the issue of a new writ. I have examined the reports since then, and I find that no discussion in the House of Commons upon the case is reported, but I find that under the act of 1702 it is provided that where parties voted without having taken and subscribed the oath, the seat was thereby voided, and this act was renewed in 1866. It was under the act of 1702, that the proceedings took place in 1831. Although the law was renewed as late as 1866, in England, it has never been the law in this country, and to what extent the English law may govern the procedure of this House, I think it is a matter for the Committee on Privileges

and Elections, who should consider also what the consequences are of a personal nature to the hon. gentlemen who sat and voted as stated. I propose, therefore, the following resolution :

"That the attention of the House having been called to the fact that Mr. Orton, member elect for the Electoral District of Centre Wellington, sat and voted in the House during the present session without having qualified himself to sit and vote by taking and subscribing the oath prescribed in the 128th section of the British North America Act of 1867, the matter be referred to the Select Standing Committee on Privileges and Elections, with instructions to consider and report to the House on the proper course to be pursued in relation thereto."

This will place on record in our Journals that the matter occupied the immediate attention of the House, and the report of the committee will no doubt present some recommendation to the House as to the course to be pursued in order at once to vindicate the dignity and honor of the House, and at the same time not be personally unjust to any person who might by inadvertance have committed a wrong in this respect.

Hon. J. H. CAMERON said that after the hon. Premier mentioned yesterday, the case which had occurred in England, he took the earliest opportunity of looking into it, in order to ascertain precisely how the matter was, and found it was exactly as the hon. Premier had stated, viz., that it was under the effect of a law existing in England which for a time was allowed to lie dormant, but which was again revived. So far as he was able to judge that law was not in force in this country, but there were one or two very peculiar passages in our own statutes which certainly required that the course which the hon. Premier had proposed should be favourably considered, and the question referred to the Committee on Privileges and Elections. It would probably be found that there was not the personal liability to the penalty which was mentioned with relation to certain acts which were done by parties who sat and voted in the House under the circumstances stated. But there was even a doubt on that point; therefore there was no clearer course to pursue than to refer the question to the committee indicated. It was a matter of very great importance, and as this was the first occasion on which the attention of the House had been called to it, they ought to have a record on the Journals to which they would be able to refer should a similar case again arise.

Hon. Mr. HOLTON thought the disqualification of the hon. member for Centre Wellington was wrought by the provisions of the British North American Act, and not by the provisions of our Independence of Parliament Act. It was under our Independence of Parliament Act that penalties accrue. It might be doubted, therefore, whether similar or perhaps any penalties arose under the other Act; but that was precisely the point which should be inquired into by the committee.

Hon. Mr. MACKENZIE said that the Independence of Parliament Act mentioned certain causes for disqualification in the first three sections, and by the sub-section of the fourth section the penalty was imposed. That sub-section says: "And if any person disqualified or declared incapable of sitting or voting, by the first, second or third sections, * *" The doubt arose as to the application of the word "disqualified," but the researches of the committee might throw more light on it than was obtained by a cursory examination.

The motion was carried.

THE MILITIA AMENDMENT ACT.

Hon. Mr. VAIL moved the House into Committee of the Whole to consider the following resolutions:—"1. That it is expedient to provide that the officer to be appointed to command the Militia of the Dominion of Canada under Bill No. 4 'to amend the Dominion Militia and Defence Acts' shall be paid at the rate of four thousand dollars per annum in full of all pay and allowances. 2. That is is expedient to provide that the Adjutant General of Militia at Headquarters, to be appointed under the said Bill, shall be paid at the rate of twenty-six hundred dollars per annum." The hon. gentleman repeated the explanations offered by him on introducing the Act to amend the Dominion Militia and Defence Acts, in compliance with a request made by the hon. member for Northumberland.

Hon. Mr. MITCHELL said that the explanations of the Hon. Minister of Militia had fully satisfied him as to the propriety of the Bill, at all events so far as the changes proposed in regard to the officer in command and the change of title

of the Deputy Adjutants General throughout the country to inspecting field-officers. He had, moreover, no objection to offer to the sums proposed as salaries in the resolutions before the House. If Canada should have an officer of the rank named, and belonging to HER MAJESTY'S service, $4,000 a year was not too high a salary, and the sum named for the Adjutant-General of Militia at headquarters, who he believed to be an exceedingly efficient officer, was certainly not excessive. On those points the Bill, indeed, was quite satisfactory. He had the more satisfaction in giving the new Militia Bill his support, because it was framed in accordance with the views he had long entertained in relation to the army that was necessary for the defence of this country. The view he entertained, and which he had previously expressed, was that the expenditure for the Militia and Volunteer service should be reduced from $1,300,000, which was the proposed vote for this year, to something like half a million dollars. He believed that all that was necessary in the present position of the Dominion on this continent was to keep up a skeleton organization which could be supplemented and increased when the exigencies of the public service demanded that such action be taken. He looked forward to a time of peace reigning on this continent, and we should do nothing either to arouse the warlike spirit in our people, or to excite through the press the jealousy of our neighbors by leading them to think that we were making preparations in anticipation of a collision between them and us. He wished, however, to be distinctly understood that he was not one of those who thought we ought not to be prepared to defend ourselves. He favoured the adoption of such measures as might be necessary, and the utmost economy to be exercised in carrying them out; but the amount placed in the estimates this year was more than the public exigencies demanded. Therefore, while he thought that in order to maintain such skeleton organization as he had suggested, it was essential to have a commanding officer and Adjutant General at headquarters, he desired the Minister of Militia to consider, before the next session of Parliament, how far the expenditure for defensive services might be reduced in accordance with public sentiment. He did not undervalue the great services which the militia and volunteer forces had rendered to the country. He knew that it was necessary to maintain a military organization not only to provide against foreign aggression, but also for the preservation of our domestic peace, the services of the militia having to a small extent being called for recently. He would, however, be prepared to assist any hon. member in taking measures to bring our military expenditure within a limit which would be satisfactory to the public.

Mr. McKAY WRIGHT said while he agreed generally with the views of the hon. member for Northumberland and the hon. Minister of Militia, he disagreed with them in one respect. He thought the alterations mentioned in regard to the appointment of a chief officer of our militia force, should be a little less stringent, and we should not be limited in our choice to an officer of the regular army of Great Britain. We were now endeavouring to train up in this country an army of volunteers who would be able to defend our land should the occasion arise, and we were at considerable expense to officer and arm them. He did not believe that native Canadians should be excluded from any office which was in the gift of the Government. There were men now on the militia staff of this Dominion who were eminently qualified to take command of troops in the field, and if we did not throw open all military appointments to our native soldiery they were debarred from the legitimate prizes which they had a right to expect to obtain if the Government proposal was adopted. This appointment should be an exceptional one, because he was not aware that even the office of Governor General of this Dominion could not be well filled by a native Canadian. He submitted for the consideration of the hon. Minister of Militia that, without preventing the office of Major General or commanding officer of the force of the Dominion being filled by an officer of the Imperial army, it should be thrown open to the competition of militia officers who are now building up our force, and expending time and money in acquiring that knowledge and experience which was necessary to render them efficient. He was prepared, however, to go a little further. He believed that the selection of an officer of the Imperial army was not calculated to best serve the interests of the

militia force of this country. The experience such an officer had acquired was entirely different from that which he would require when he took command of our volunteers. That was entirely a different force to the one he would have been accustomed to command in England. Here the men were no mere machines, as were soldiers of the Old Country. An Imperial officer coming to Canada and assuming the command of our militia volunteer force would find that he was placed in entirely different circumstances, and that in order to become an efficient commander he must unlearn nearly everything he had learnt before. As an humble member of that force, and appreciating the idiosyncrasies of it, he respectfully protested against the exclusion of any of our militia officers from occupying the first militia position which the country had at its disposal.

The motion was carried, and the House went into Committee on the Resolutions, Mr. RYMAL in the chair.

The first resolution was put and carried without discussion.

On the second resolution being put,

Mr. BOWELL enquired of the Minister of Militia why the distinction was made between the wording of the two resolutions in regard to the salaries to be paid to the Major General and the Adjutant General at headquarters, respectively. It was stated that $4,000 should be paid to the Major General in full of all pay and allowances; but these words did not occur in the resolution which followed. He was aware that it had been customary to pay additions to these officers under the heading of "Pay" and "Allowances" which the law did not provide for. The attention of the late Government had been repeatedly called to this fact, but the claim was always made that the Government had a right to pay these increases under the Queen's Regulations, and salaries of Adjutants General and Deputy Adjutants General had been regularly increased from $3,000, and $2,600 to $4,000 and $3,600 respectively. What he desired to ask, now, was why the words "Pay" and "Allowances" were made applicable in the first resolution and not in the other. He did not wish it to be inferred, even by insinuation, that he believed the gentleman who occupied the position of Deputy Adjutant General at headquarters, and who he was happy to understand was to be promoted, was not worth all the amount he received. On the other hand he did not hesitate to say that he was one of the best officers in the force or connected with the Militia Department, and as an independent member of this House he would be willing to support a resolution for the increase of his salary to $3,000. If it were desirable—and he believed this House would sanction it—and if it were intended to add allowances to the amount provided in this clause, he thought it would be better to make provision for it in the Bill at once. The report of the Major General, now in command of the force in this country, gave, in his opinion, the best possible answer to the hon. member for Pontiac. He (Mr. BOWELL) had been in the habit of reading the reports of all commanding officers which had been presented to the House since he had become a member, and he did not hesitate to say that this was the most practical he ever knew to be presented to the Parliament of Canada. There were suggestions in it of a most desirable and practical nature, and he should like to know whether it was the intention of the Government to carry them all out. Members who were in the House in 1869 would remember that when this question was under discussion, he, as an independent member took exception to the Militia Act of that time, and pointed out what he thought were necessary amendments. He believed then, and believed now, that if more money was distributed among the men and the officers, who did a great amount of the work, instead of paying it, to what he then termed it, the useless officers of the staff, it would be better for the volunteer force and for the country. If there was anything gratifying to him as a member of this House and a Volunteer officer for a number of years, it was the fact that on reference to the remarks he made in 1869, he found that almost everyone of his suggestions were recommended to the Minister of Militia by Major General SMYTH, and more particularly that portion relating to the unnecessary number of staff officers in the different military districts. This officer pointed out that the Brigade Majors were utterly useless for almost any purpose, and their position could be much better supplied by Adjutants of the force. There were many other

suggestions in this report which he trusted the Minister of Militia when he had time to fully investigate and compare them with the facts as they existed, would see his way clear to carry out. It would add much, not only to the stability, but also to the popularity of the Volunteer force of this country.

Hon. Mr. MACKENZIE said the salary of the Major General was precisely the same as that paid to the former Adjutant General.

Mr. BOWELL—But not the amount provided by law to be paid.

Hon. Mr. MACKENZIE said it was practically the same, because the allowances brought it to that. It was due to the Imperial authorities to say that when this Government proposed to place an officer of that rank at the head of the Militia force, they received the utmost possible encouragement from HER MAJESTY'S Government, and they (the Imperial Government) undertook to supplement the salary, so that it would not amount to more. But for that arrangement this Government would have been obliged to ask a sum very considerably in excess of this, in order to obtain an officer of that rank in the Province.

Hon. Mr. VAIL said the hon. member for Northumberland referred to the expenditure for the militia service as too large. He (Mr. VAIL) agreed with the hon. member that the expenditure for this purpose should be reduced to the lowest possible point consistent with the obligations the Government rested under to protect the interests of the Dominion. It was just as necessary, perhaps, to keep up a militia force to be used for civil purposes when required as it would be to defend the country against foreign invasion, but he might say further that it would be quite out of the question at the present time, considering what the late Government had expended in the service, to reduce the amount named in the estimates for the present year. With regard to what the hon. member for Pontiac had said, the hon. member for North Hastings gave a complete answer to the opinion that our militia would be in a better position if the Commander in Chief were chosen from the militia force. The fact that the report laid upon the table this session was the best brought down for a long time, was due to the appointment of an Imperial officer who had had great experience in the militia service in Ireland and England. When the college that was now being built, and which would be in operation at the end of the year, was in operation, he hoped in time we would be able to educate an officer qualified to fill the position. No one would more heartily welcome that day than himself (Mr. VAIL), for he believed they should offer a premium to native talent. If we had a man in this country fitted for the position he ought to have the preference, but under present circumstances it was better that the militia should be under the command of an Imperial officer. In regard to the salaries the only increase was in that of the Adjutant General. The increase was $360. The gentleman who at present occupied that position was an experienced officer, and had been Deputy Adjutant General at headquarters. In consequence of the late appointment larger and more important duties would devolve upon him. After thinking over the whole matter, and having a due regard to economy and efficiency in the service, it was felt that this increase of $360 was a wise one, since they were doing away the office of Deputy Adjutant General, and did not intend to appoint one as heretofore. He was quite sure the House would, after this explanation, vote the amount without any further question.

Mr. BOWELL said the hon. gentleman had not answered his question. He (Mr. BOWELL) did not find fault with the increase of salary, but on the contrary said he would approve of it. His question was why the words "paid allowance" were not added to the 29th clause as to the other, and whether it was intended to pay the allowance in addition to the salary.

Hon. Mr. VAIL said the intention was to let the salary remain as it had been since 1867, with the exception of this increase of $360.

Mr. BOWELL thought it would be much better to pay a stated salary, as in the case of the Major General.

Hon. J. H. CAMERON called attention to the objections of the Premier with regard to the salary of the Major General, which he thought were likely to be misconstrued. The inference was that a part of the salary was to be paid by the Imperial Government. It would be a great pity that the Imperial Government should

bear any portion of the expenses attaching to this appointment, and no member of this House would like it to be the case. What he (Mr. CAMERON) understood was that the Imperial Government continued Major General SMYTH's allowance as an officer of the regular army, although he was in the service of this country with the consent of the British Government.

Hon. Mr. MACKENZIE remarked that that was precisely the case, but it was not the case with former officers. Practically it had the effect of reducing the salary to be voted for by the House. When he announced to the House last session that it was the intention of the government to appoint a Major General to command our militia, he expected to have to pay a larger salary, and if we had not a larger salary it was in consequence of the allowance of the Imperial Government under the army regulations.

Hon. J. H. CAMERON said there was another point to which he wished to call the attention of the Minister of Militia in relation to the suggestion that officers for the command of our militia should be taken from amongst ourselves. An important step might be taken in this direction by selecting Canadians who were already officers of the British army, several of these, he was happy to say, had distinguished themselves, and had passed with great honor and credit the Staff College, and held very important positions in the British service. Many of these young men were very anxious to have their services used in this country if the opportunity offered, and he hoped that they would receive every consideration at the hands of the Government in making their selections. He could name several of these Canadian officers of the British army. There was the son of the late Chief Justice ROBINSON—Major ROBINSON—who had passed through the Staff College with a great deal of credit, and who was in the Ashantee expedition. There was also another gentleman, at present in Ottawa, son of another very old resident of Upper Canada, who had distinguished himself for many years as one of the instructors of musketry at Hythe. There were several others he could name who he had no doubt would be glad to have their services employed in this country.

Hon. J. H. Cameron.

Hon. Mr. MACKENZIE said he had stated in reply to a question a few days ago, that the Commandant of the Military College must almost necessarily be an officer of high rank in the army, and also an officer of high scientific attainments. The Act respecting the establishment of the Military College provided for two other professors, and such instructors as may be found necessary. He had stated then that while the commandant must almost necessarily be chosen from the British army, it was the intention of the Government while consulting the commandant to endeavour to fill the other positions in the institution from amongst the ranks of Canadians who had qualified themselves for the positions. The Government had the names of a number of distinguished Canadian officers who might fairly be supposed to be qualfied to fill at least some of these positions, and it was the intention of the Government as far as it was possible to do so to encourage that particular class of our own people.

Hon. Mr. MITCHELL while not objecting to the remuneration it was proposed to give to the Adjutant General, said he would prefer to have his full salary stated, so that the House might know what he was to receive. While in the abstract he agreed with the remarks of the member for Pontiac that it was desirable to have every position in this country filled by our own people, he was of opinion that this particular branch of the service would for a time at least be promoted by selecting officers of experience who had the confidence of HER MAJESTY'S Government.

Hon. Mr. VAIL said he quite agreed with the remarks of the hon. member for Cumberland that it would be better perhaps to name a specific amount in the Bill which should be paid to the Adjutant General; but at some future time—he hoped it would be a long time hence—some other person might be called on to fill the position who would not have the claims that the present officer had, and whom it would not be advisable to pay more than the amount named in the resolution. The Government, therefore, could make no promise for the future, but he was prepared to say that when they were called upon to make a new appointment it might be well to fix the salary by statute.

Hon. Mr. MITCHELL seid he did not wish it to be understood that he thought the salary was too high, because he did not think so, and moreover, he did not think there was any man in the public service that was more entitled to the confidence of the public than the present Deputy Adjutant General. All he asked was that when the Government came to appoint a successor, this systemof allowances should be done away with, and a fixed salary paid.

Hon. Hr. VAIL—Hear, hear?

Hon. Mr. MITCHELL was glad to find that the hon. Minister of Militia approved of his suggestion.

Hon. Mr. VAIL—I have no objection to promise the hon. gentleman that this matter will receive the fullest consideration on the part of the Government.

Mr. MACKENZIE BOWELL observed that last year the Deputy Adjutant General received an amount in salary and allowances of over $4,000, which was more than it was now proposed to pay the Major General. The public accounts showed that he received his salary, amounting to $2,240; the usual allowance of $600; and a bonus of $534; and in addition to that, $666 for extra services which he supposed was on account of having to fulfil the duties of the Adjutant General.

Mr. KIRKPATRICK was of opinion that the Government should state to the House whether they intended to act upon the suggestions contained in the very able and practical report of the Major General—that the staff appointments should be made for five years, and that the staff officers should be liable to be removed from one place to another—suggestions which he (Mr. KIRKPATRICK) approved of. He would also like to know whether the Government intended to have a Deputy Adjutant General at headquarters.

Hon. Mr. VAIL—No.

Mr. KIRKPATRICK said that he noticed in the estimates the sum of $600 "contingencies, Deputy Adjutant General at headquarters."

Hon. Mr. VAIL—That is for the Adjutant General's office. He proceeded to say that it was not usual for the Government to lay down their policy with reference to a report such as this, immediately on its being laid before the House. All he could say was that the report would receive the fullest consideration, and the Government would adopt such portions of it as they thought were in the interests of the service and of the country.

Hon. Mr. MITCHELL was of opinion that the Government should be prepared to declare their policy upon such questions, if they had any policy at all. Of course, if they wished more time to consider it, he was willing that they should have it. He wished to know from the Government whether it was their intention in any way to change the direct jurisdiction which the Minister of Militia had over militia affairs, and to give to the present commanding officer more powers than his predecessor enjoyed.

Hon. Mr. MACKENZIE—The policy of the Government is not to tell my hon. friend what he asks at present, and when any change is made the House will receive the first notification of it.

Hon. Mr. MITCHELL—That is just about what I would expect from the arbitrary way in which the hon. gentleman conducts public business.

Hon. Mr. POPE, referring to the remarks of the member for Pontiac, stated that in his judgment the Government should at least place no obstacle in the way of their selecting Canadian officers if they found they were suited for the position. He, of course, did not object to the selection of Imperial officers, but he thought the Government should be free, when they found the opportunity, to make a selection from Canadians. He proceeded to say that the argument of the Minister of Militia that because the late Government had increased the expenses of the Militia Department, therefore the present Government were justified in increasing them also—was a very extraordinary one. As a matter of fact, the late Government were in a different position from the present Government on account of the threatened Fenian invasion, and they had, before they left office begun to reduce the Militia expenditure. The contended that the present Government, although they professed to have reduced the Militia expenditure, had actually increased it to the extent of over $100,000.

Hon. Mr. MACKENZIE said he had no desire to interfere with the liberty of discussion, but he doubted the propriety

of raising a general discussion upon the Militia estimates upon these resolutions.

Hon. Mr. MITCHELL contended that the hon. member for Compton was quite in order because he was only replying to the arguments of the Minister of Militia which were based upon the alleged extravagance of the late Government.

Hon. Mr. VAIL—If the hon. gentleman was so anxious that a volunteer officer should be appointed to command the Militia, why did he not repeal the Act when he was in power?

Hon. Mr. POPE said his remarks would not bear the construction which had been put upon them. He thought the present appointment was a good one, but he did not think it wise to pass an Act which was so drawn as to bar volunteer officers from ever obtaining the command of our Militia forces.

Mr. KIRKPATRICK hoped the hon. Minister of Militia and the hon., the First Minister would take sweet counsel together and endeavour to reconcile their statements. The former stated that after Parliament rose the Government would take the report into consideration, and consider what was proper to be done, while the latter Minister said that if any change was made, Parliament would obtain the first intimation of it. It was due to the people's representatives that they should know what changes were proposed.

The motions were carried.

On motion of hon. Mr. VAIL, the resolutions were referred to the Committee of the whole House on Bill No. 4.

The House then went into Committee on the Militia Bill.

Mr. ROSS (Prince Edward), in the Chair.

Hon. Mr. VAIL moved that the blanks in the Bill be filled by inserting $4,000 and $2,600 according to the resolutions passed by the House.

Mr. BOWELL asked the hon. Minister of Militia to explain his intentions with respect to the payment of bonuses.

Hon. Mr. VAIL said it was unfortunate that the hon. member had not asked the Minister of Militia two or three years ago for these explanations. He was, however, prepared to give the hon. gentleman and the House every information in regard to that matter as early as possible, and he would submit a paper containing the necessary details in the course of a few days.

Mr. BOWELL said the hon. Minister of Militia did not know what he spoke when he said it was unfortunate that these explanations had not been asked for before. Every member of the House knew that for the last six years he had been asking for explanations on that matter.

Hon. Mr. VAIL said:—If the hon. member had been asking for explanations for five or six years without effect, he might give him the space of a day or two to make them now.

Hon. Mr. TUPPER congratulated the Government upon the fact that they always fell back upon the actions of the late Government when they wished to excuse themselves, and no explanation they could make to the House and country would be so satisfactory as that.

Hon. Mr. MACKENZIE said if he had ever made such a statement he took that particular opportunity of making a full and complete retraction.

The Bill was reported as amended, and the report received.

CONCURRENCE IN ESTIMATES.

On motion of Hon. Mr. CARTWRIGHT, item No. 2 of Committee of Supply, $8,025, to defray salaries of the Governor General's Secretary's Office, was concurred in; as also was resolution No. 1 of Committee of Supply, $68,600, charges of management.

Items 3 to 18 inclusive were concurred in without discussion.

On item 19, $70,000, re-adjustment of salaries,

Hon. Mr. CARTWRIGHT, at the request of Hon. Mr. TUPPER, repeated his explanations of the proposed amended system of increasing the salaries of civil servants, the hon. member for Cumberland having been absent when those explanations were originally given.

Mr. JONES (Leeds) inquired whether any of this sum could legally be applied to increasing the salaries of the outside service.

Hon. Mr. CARTWRIGHT said there could be but little doubt as to its legality, but the increase of outside service salaries was more a matter to be dealt with departmentally than otherwise.

The item was concurred in.

Item 20 was concurred in without discussion.

On item 21, $15,000, circuit allowances, British Columbia,

Hon. Mr. CARTWRIGHT explained, in answer to a question, that the Minister of Justice did not consider the former vote of $10,000 sufficient for the service.

Items 22 and 23 were concurred in without discussion.

On item 24, $185,000, Manitoba Mounted Police,

Hon. Mr. TUPPER asked whether it was in contemplation to make alteration in the constitution of that body. The experiment of the past year—for it was a mere experiment—would have satisfied the Government, whether it was proper or otherwise, to incorporate the Mounted Police with the regular force in Manitoba. He had been following as closely as possible the statements from the best sources at the command of gentlemen on his side, that was to say the press, and they were to the effect that the system provided by the Government and sanctioned by the House for the administration of the Mounted Police had been attended with a good many serious difficulties, that the powers possessed by the officers had been insufficient to preserve that degree of subordination and harmony which was necessary to prevent desertions; and the question must force itself upon the attention of the Government as to how far it would be advisable to change the organization of that force. It appeared to him that it would be a very great advantage to incorporate it with the standing force in that Province, the result of which would be that the Government would have at their command for whatever purpose it might be required, a compact body which could be detailed to the different parts of the country when their services were necessary. He thought it was unfortunate to have two forces in the same Province organized upon entirely different systems, and considered they would be more effective for every purpose if consolidated. He was very happy to believe that the prospect in the North-West was such that a very large standing force would soon become quite unnecessary, but under the present circumstances he believed neither the House nor the country would be disposed to dispense with the services of that force, and therefore he made the suggestion that the Government should consider the advantage of incorporating the two bodies.

Hon. Mr. FOURNIER stated that it was not the intention of the Government to incorporate the mounted police with the militia force. It had been stated in the House that the mounted police had been a failure. On the contrary it had been an entire success, certainly beyond the expectations that might fairly be formed of it. It was true there had been difficulties, but they were entirely due to the novelty of the organization, and the inexperience of the men. He was glad that the hon. gentleman had given him an opportunity of denying the statement that there had been many desertions. The total number of the force was in the neighborhood of 250, and the desertions which took place were only some sixteen. Those who had deserted were enlisted in the force from the beginning, and it was calculated that a great many of those who had already been in the service would leave it, and in order to meet that contingency a number of men were engaged before the expedition started to be in readiness to fill up vacant places. The force was a much superior one to that of the United States, and the good effects of it had not been confined to Manitoba, but had extended to the American territory bordering. He hoped that a report on the subject would be laid before the House shortly when the beneficial results of the force in every respect, and the part it contributed towards maintaing peace and security all over the territory would be shown to be greater than could have fairly been anticipated.

Mr. MASSON said his remark was not that he was in a position to state that the force was not a success, but that it was commonly reported in Manitoba and in the press generally that such was the case. The hon. gentleman, by stating there were 36 desertions, out of a force of 246 men, gave some confirmation of that report. He (Mr. MASSON) found no fault with the hon. gentleman for this; he merely drew the attention of the Government to the fact, and suggested that the force should be included in the militagy organization of the country. The officers should have more command over the men, and should be empowered to punish for desertion and refusal to obey orders, with something

more than a fine. These remarks were made in a kindly spirit.

Hon. Mr. FOURNIER said his Bill contained a clause increasing the powers of the officers to prevent and punish desertion.

Hon. Mr. MITCHELL asked why $25,000 was asked for the Dominion Police. Last year the expenditure was only $17,490.

Hon. Mr. FOURNIER said the police force for guarding the public buildings had been found insufficient, and the number had been augmented. Hence the increased appropriation.

The item was concurred in.

On the items under the head of "Penitentiaries"

Mr. KIRKPATRICK called the attention of the Government and the House to the unfortunate position of the guards and officials of the Penitentiaries. While their duties were, perhaps, not very laborious, they were very hazardous. They carried their lives in their hands, and it frequently happened that they were killed or maimed for life by sudden outbreaks among the convicts. Although these men might spend their lives in the service of the country, and discharge their duties faithfully and efficiently, in old age, when they were no longer fit for service, they were turned adrift without any provision being made for their families. The Government could when they pleased grant a gratuity extending from half a year to a year's salary, but what was that for a man who was turned adrift on the world in his last years. He wished to know whether the Government proposed to put these civil servants on the superannuation list and allow them the same payment which was given to other civil servants. He might mention an instance where a storekeeper, who was obliged to give large security to the Government, received only $700 a year, a small salary for such a responsible position. He asked the Government to take these cases into their consideration.

Hon. Mr. CARTWRIGHT said the expenditure was already very large for the number of convicts in the penitentiaries, and the Government could not see their way clear to increase it. It was true there was some risk attending the positions referred to, but for all that there was never any lack of applicants for any vacancies that occurred.

The item was concurred in.

On item 26,

Mr. KIRKPATRICK asked whether anything was being done under the Act passed a few years ago giving power to transfer Rockwood Asylum to the Province of Ontario.

Hon. Mr. MACKENZIE said the Government desired to make the transfer, and had some reason to believe the Local Government would take it, the value to be settled by arbitration on the 1st of January, but when the time came the Ontario Government were not prepared to carry out what they supposed they could do. As soon as they were ready to arbitrate, a valuation would be arrived at, and the institution would be handed over to them. In the meantime the Province of Ontario practically paid the expenses of the institution, as they were charged so much per patient for every one kept there.

The item was concurred in.

On item 27,

Hon. Mr. TUPPER drew the attention of the Minister of Justice to the fact that a rumor existed that it was the intention of the Government to supersede the Warden of Halifax Penitentiary, who was still as capable of discharging his duties as at any period of his life. He would be glad to hear from the Minister of Justice that there was no ground for the rumor.

Hon. Mr. FOURNIER said it was only a rumor. He might add that this officer would be treated with the justice due to all public officers. There would be no exception made in his case.

The item was concurred in.

On item 28,

Mr. DOMVILLE asked why the salary of the Warden of St. John Penitentiary had been increased $400. He believed that the salary should be proportionate to that of the Warden of Halifax Penitentiary, and therefore did not object to the increase, but he asked the question, seeing that the late Warden had been removed and a new one appointed at an increased salary. Why was the old Warden removed, and why was the salary of the new one increased?

Hon. Mr. BURPEE said the removal was recommended by the Commissioners more than once, and particularly so during

last summer, and for reasons which the hon. gentleman could see in their report. The increase of salary was also made on the recommendation of the Commissioners, and he had already saved more than two years' salary in orders for clothing. Although cloth and clothing had been ordered by the old Warden, the new one found enough on hand to last for two or three years.

Mr. DOMVILLE said he had not seen the report of the Commissioners, but the community in general did not believe that the removal was made in consequence of any dereliction of duty or incapacity on the part of the old Warden; it was looked upon as a removal for purely political reasons.

Hon. Mr. MACKENZIE said it was out of order to discuss the question in this way on concurrence. The hon. member should move for the papers, and on receiving them bring the matter before the House.

Hon. Mr. MITCHELL admitted that would be the strictly Parliamentary course. but reminded the Premier that a great deal of latitude in discussion had always been allowed on concurrence. The Government should not keep hon. members to the strict letter of the rule in discussing matters of this kind; the late Government had not done so.

Hon. Mr. MACKENZIE said he had always been careful when in opposition to state when in committee he would discuss certain items on concurrence. He did not wish to prevent the discussion now, but merely to point out the proper mode of bringing the matter before the House.

Mr. DEVEBER concurred in all that the Minister of Customs had said, and more too. If the Government had investigated the matter they would not only have removed the old warden, but also taken away his allowance. The public were satisfied that the Government were justified in removing him.

The item was concurred in.

Items 29 to 43, inclusive, were concurred in.

On item 44,

Hon. Mr. TUPPER asked when the census returns would be published. Unless they appeared within a reasonable time after the taking of the census, the object of the work would be defeated.

Hon. Mr. MACKENZIE replied that the officer in charge of the Census Department said the returns were now in the hands of the printers, and he expected in a short time to be able to give the results of the census.

The item was concurred in.

On item 45,

Mr. CURRIER asked whether $40,000 would meet all the expenses that would attend a proper representation of Canada at the Centennial Exhibition at Philadelphia. It appeared to him to be a very small sum for the purpose.

Hon. Mr. MACKENZIE said that depended entirely upon the extent of the plan which might be adopted. That was in course of preparation now, and he could not say what amount would be required. He might say, however, that he did not think this sum would suffice.

Mr. YOUNG said if Canada was to put in an appearance at all at the exhibition, we should make a creditable appearance. He was not an advocate of lavish expenditure, but he thought it would be a great mistake not to vote enough to make such an appearance as would attract the attention of European visitors.

Hon. Mr. MACKENZIE observed that from all he could learn since the vote had been passed in the committee, they would require at least $100,000.

Mr. CURRIER thought that $150,000 or $200,000 would be little enough to do credit to this country. If we were to put in an appearance at all, we should do it with credit to ourselves.

Hon. Mr. MACKENZIE — It is expected that the Local Legislatures will aid to some extent.

Mr. CURRIER—Even if they do, more will be required than appears in the Estimates.

Item concurred in.

It being six o'clock the SPEAKER left the chair.

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AFTER RECESS

Hon. Mr. CARTWRIGHT again moved the House into Committee of Supply.

Hon. Mr. TUPPER said—Mr. SPEAKER: the hon. Minister of Finance in replying to the observations which I addressed to the House upon the speech which he delivered in submitting the budget took the

somewhat unusual course I think, Sir, of considerably widening the range of the debate. I endeavoured, Sir, in the criticisms which I offered to that hon. gentleman's statements, to confine myself as closely as I could to the subject to which they were immediately related. The hon. gentleman with some warmth, at a time when he was aware the rules of the House precluded me from offering any rebuttal of the statements he made, took the somewhat unusual course of persistently widening the range of the debate. I do not intend, in availing myself of this opportunity to notice the statements which that hon. gentleman made on that occasion, to copy what I take to be his very bad example in that respect. I shall endeavor, Sir, not only to confine myself as closely as I can to the remarks he made on that occasion, but I shall endeavour to set the hon. gentleman a good example in another respect, and I trust exhibit less warmth than he did on that occasion. The hon. Minister of Finance took exception to the statement that I made with respect to the passages in the Speech from the Throne on the opening of Parliament last year and this year in reference to the trade of the country. I claimed that the statement contained in the speech with which Parliament was opened this session, that "the trade of Canada is sound," had fully justified the criticisms I had offered on the hon. gentleman's statement when a year before the attention of the country was drawn by the Speech from the Throne to the fact that commercial depression existed in Canada. Now, the hon. gentleman has replied to me, and he contended that he was right in having stated that there was commercial depression a year ago, and in having stated this year that the commercial depression has passed away, and the condition of the country is sound. I would like to ask the hon. gentleman if the cause he gave one year ago, which led him to make the statement that the commercial industries of the country were laboring under a considerable commercial depression, has passed away. I would like to ask, if the great lumbering interest is not more seriously depressed at this moment than it was then. But the ground I took then, and I take now is, that no temporary depression in any one commercial interest of the country, however important it may be, ought to be made the subject of unfavorable comment by an hon. gentleman holding the high and important position of Minister of Finance. When the hon. gentleman has informed the House that in the great index of trade, the imports of the country, there has been a falling off of one milllon and a half of dollars in the first six months of the present fiscal year, he has taken away from himself any reason for giving a more favorable statement of the condition of the affairs at this time than he could have been justified in giving a year ago.

I pass over that point to the consideration of a more important question which was in dispute between the hon. gentleman and myself, and that was the question of the existence of a deficit for the fiscal year ending 1st July, 1874. The hon. gentleman has qualified very much the statements he addressed to the House last year, and also the statements he has, from time to time, made in relation to that matter; in fact I may say the hon. gentleman has given up the whole question in dispute. I say that by the admission made by the hon. gentleman a few evenings ago, he has virtually abandoned the whole ground which he previously held, and has admitted that the three millions of taxes which he asked this House to impose on the country a year ago were imposed, not to cover any deficit in the then current year, but was done in anticipation of the necessity for a larger amount of public money in the future. If the hon. gentleman had made that statement a year ago, it would have saved us a great deal of trouble. If he had admitted what was the fact, that the condition of Canada was not only most prosperous in every respect, but that the expenditure of the year would be amply covered by the revenue of the year, but that in view of future and ulterior liabilities—in view of increased expenditure which the Government intended to impose—more money would be required, it would, I say, have saved us a great deal of trouble. But although the hon. gentleman has qualified his statements he still made this statement: "I regret to state that the receipts of the current year will not be sufficient to meet the expenditure. It will therefore be necessary for you to consider the best means to be adopted of making good the anticipated deficiency." There is no reference there to increased expenditure, but

there is the statement that the taxation to which the people of this country were called upon to submit is a taxation required in order to meet a deficit in the then current year. I need not occupy the attention of the House at much length after the discussion which took place the other night. The hon. gentleman's admissions on that point will save me much trouble in that respect. He has admitted that if the Public Accounts were made up as they had been made on all previous occasions there would have been a surplus on the 1st of July last of $1,722,215.

Hon. Mr. CARTWRIGHT—No, I did not.

Hon. Mr. TUPPER—The hon. gentleman did not reply to the statement I made in which I showed that deducting from the expenditure that which all previous Governments had kept out of that expenditure, deducting that which the Minister of Public Works in his report to the House showed ought not to be in that expenditure, deducting that railway expenditure which there own officer, Mr. BRYDGES claimed to be capital expenditure and not chargeable to revenue — making that deduction and adding to the receipts the premium on tho loan negotiated by Mr. TILLEY, the surplus would have stood at $1,722,215. I will detain the House for a few moments to strengthen tbe position which I took on that occasion. The hon. gentleman says—and he expresses himself in very strong terms — that expenditure was falsely placed by the previous Governments to capital when it ought to have been paid to revenue account, but the hon. gentleman can hardly forget that one of the objections he took to the policy of the previous administration was to their making large provisions for capital expenditure out of current revenue of the day. The hon. gentleman knows that in support of the position which I took that the Government had placed $545,625 of capital expenditure to current revenue. I showed, by reference to the public accounts of former years, that precisely the same class of items had invariably been charged to capital account and not to revenue. The hon. gentleman knows that Mr. BRYDGES,—who was employed as an expert in relation to railway accounts,—has, in his report to the Government, supported the position which I took that $545,625 of money which the hon. gentleman has charged to current revenue should have been charged to capital. Now, he has given Mr. BRYDGES a very high character—he has stated he is a gentleman of great ability, and I ask him to reconcile the statement of that gentleman—a gentleman better qualified than almost any other man in this country to state what is a fair and legitimate charge upon revenue—with the statement that the hon. gentleman himself has made. But I have better authority still, namely, the estimate submitted to this House by the hon. gentleman himself, in which a similar expenditure is charged to capital account and not to revenue. The hon. gentleman knows that I challenged the accuracy of putting such expenditure as that for the Spring Mill branch of the Intercolonial Railway to revenue account. I showed him that Mr. BRYDGES in his report had placed it to capital account, and that the Minister of Public Works had done the same thing in his report, and I now show him in his own estimates on this table that he is asking the House to vote $60,000 for the construction of a station at Halifax, and that he is charging that expenditure as part of the expenditure on capital account. I ask the hon. gentleman, Does he intend to make up this account falsely? to use his own term,—for I would be sorry to use such strong language myself—and to put himself in a position to be challenged by his successor for having made up his account in an improper manner? I have shown that throughout the past these expenditures have all been charged to capital, and I now show the House that in a precisely similar case the hon. gentleman has himself done the same thing. According to the hon. gentleman's own showing he is bound—if his estimate is properly made up this year—to put the four hundred odd thousand dollars of expenditure, which he asks this House to make to extend the railway one mile, to revenue account, if he claims that the extension of five miles of railway last year should be placed to revenue account, I ask the hon. gentleman whether he is not impaled on the horns of this dilemma, either that his his own accounts this year are not based upon correct principles, or that these charges that have always in the past been placed to capital account, and which he declared should not have

been so placed, were correctly placed to capital account. I come now to the other side of the account; and I admit frankly that it is a matter fairly open to question as to whether a premium on a loan should be placed to the receipts of the year; but I say that in a comparison with former statements that contained that item in the receipts you must put it to the receipts of the year. But that is a secondary question altogether. I ask the hon. gentleman whether he had money enough, and if he had, as he did have, he must not come down and say the people must be taxed to make up this $345,000 which he had actually received as a premium on the loan. The hon. gentleman cannot say that he had not the money available to meet the current expenditure of the year. I admit frankly that the hon. gentleman has given us a good reason from his standpoint why he wished that these matters of premium and discount should forever disappear from the account of revenue and expenditure. He says, "What position would I be in next year if I did not change this system? It is all very well in dealing with Mr. TILLEY'S loan when there was a premium of $345,000, but next year I would be compelled to put two millions of discount on my loan on the other side of the account." The hon. gentleman has therefore from his standpoint given us a sufficient reason why he should wish to introduce a new system and change the position of that item in the public accounts. The hon. gentleman in reviewing the remarks I addressed to the House, did not question the amounts that I placed to the credit of the Government as received under the new taxes for the two and a half months, and the amount discounted in the Inland Revenue Department. The hon. gentleman accepted my statement.

Hon. Mr. CARTWRIGHT—No.

Hon. Mr. TUPPER—If the hon. gentleman did not, I challenge him now to state to the House that I did not place the outside estimate of the amount received under the new taxes for the two and a half months when I placed it at $546,000. Does he question that?

Hon. Mr. CARTWRIGHT—Certainly.

Hon. Mr. TUPPER—Then I want him to tell me how it is if he only taxed the people of the country three millions per annum he can get with all the goods passed in anticipation of the tariff within two and a half months of the end of the year, he can get more than $546,000 in the two and a half months. He cannot claim more if he admits that only three millions per annum of new taxes were imposed. But the fact that the hon. gentleman passed over that statement may be taken as an admission that I was correct. Deducting from the total surplus of $1,722,215 the sum of $1,072,611, as representing the amount received for new taxes, and the amount that was discounted in the Inland Revenue Department, and there was a surplus left of $649,604. These statements the hon. gentleman did not venture to question, and therefore I assume that he admits their accuracy. I then dealt with the only made by which it was possible to establish the hon. gentleman's imaginary deficit, and that was with the question as to whether there had been an anticipation of revenue from the Customs as well as from the Inland Revenue; and I proved that in six months the duties—six months in which the hon. gentleman showed that there had been a falling off of imports entered for consumption of a million and a half as compared with the previous year—had increased $2,429,143; and when I proved that, I took away the possibility of the hon. gentleman using the argument that there was a single dollar discounted in relation to the Customs Revenue. I have ere now called the attention of the hon. gentleman and the attention of the House to the fact that he had adopted a new mode of making up the Public Accounts, in order to make an apparent increase of the expenditure and an apparent decrease of the receipts. There is another item in the Public Accounts to which I would call the attention of the House, as illustrating the length the hon. gentleman is prepared to go, in order to create imaginary deficits. If hon. gentlemen will turn to the Public Accounts, they will find the extraordinary item of "Customs Refunds in former years." Remember, Sir, that we have before us what professes to be a comparative statement for the year ending June, 1874. What is that item? I think the House will be surprised to hear that it consists in the hon. gentleman making a present of over $69,000 of the

people's money to certain railway companies in this country.

Hon. Mr. CARTWRIGHT—The first Order in Council was passed by the Government of which the hon. gentleman was a member.

Hon. Mr. TUPPER—The hon. gentleman is always ready to shelter himself behind the Government of which I was a member. I can inform the hon. gentleman and the House that this was a question of discussion with the Government of which I was a member. In conformity with that fairness of dealing which characterized all the actions of the late Government, they showed that they were disposed to give the most favorable consideration to the Great Western Railway, which that railway deserved. But they maintained that the law must be carried out; and, while they allowed the Great Western Railway Company to enter unfinished locomotives free of duty, they insisted, and very properly insisted, that duty should be paid on finished locomotives. Such was the determination of the late Government after the most thorough and perfect investigation into the question, and I am fully justified in repeating that they dealt with that company in a spirit of generous liberality. Now, I ask this House, if the hon. gentleman can put his hand into the public treasury and take therefrom over $69,000 of the people's money without the permission of this House, what difficulty can there be in creating deficits where he pleases? He has only, Sir, just to take enough away. In this case he has taken $69,178, under the designation of Customs refunds of former years, an amount of money legitimately exacted from that company under the law; he has refunded the amount to that company, and he now applies it in reduction of that surplus which last year I told him, in this House, would be the result of his financial engineering. But the hon. gentleman has gone a little further and he has refunded to the Canada Southern Railway an amount of $1,384.54. These duties, sir, were paid under the law, after officers eminently qualified to press their just claims had come before the Government and pressed them, and after the Government had carefully examined the question with every desire to deal justly and generously with the company. Sir, if the Hon. Mr. McMASTER could obtain the position of being a Canadian Director of the Great Western Railway—the only Canadian Director when all the others were swept aside—by stating to the shareholders in England that his position in Parliament would enable him to save considerable amounts of money to the company, what favors may he not expect at their hands now when he can state to them that he got $69,178 of public money which was exacted by a former Government for duties levied under the law, refunded by the present Finance Minister. That system has been carried on to such an extent, that between these two companies—the Canada Southern and the Great Western—the public Treasury has been depleted, according to the Public Accounts, of a sum of $90,461. I ask my honorable friend to add to the surplus existing on the first of July, the sum of $69,178, which cannot be charged to the expenditure of the year without such a violation of law and propriety as would render the keeping of public accounts utterly useless and worse than a farce. When the hon. gentleman found, as I predicted, that instead of a deficit he had a surplus, that instead of being under the necessity of taxing the people of this country for $3,000,000 per annum additional revenue, he would at the old rate of taxation have half a million over, he endeavors to shelter himself behind the pretext that he was providing for the future. He also endeavored, Sir, to shelter himself behind the statement of his predecessor, Mr. TILLEY, and he so far forgot himself and the nature of the position he occupies, as to find a pretext for his proposition in a statement made by Mr. THOMAS WHITE, as a member of the Board of Trade. That statement certainly anticipated a deficit, but it was based upon the figures published by the hon. gentleman himself and the department under his control in the *Official Gazette*. That statement misled Mr. WHITE and misled everybody else; it was millions astray. Does the hon. gentleman mean to say that Mr. THOMAS WHITE made an estimate that there would be a deficit, believing that he could depend upon the accuracy of the figures furnished him by the Minister of Finance, this House would have accepted that as an excuse for the imposition of $3,000,000 additional taxation? I need not say that the House would not have accepted any

such excuse. We would have told him rectthat it was because of the incorness of the figures the hon. gentleman had caused to be published in the *Official Gazette*. The hon. gentleman endeavored to shelter himself behind Mr. TILLEY, and has told this House that his hon predecessor had also anticipated a deficit. When I heard that statement I felt that there was a grave injustice being done to a gentleman who had discharged the duties attaching to his office, in a manner that reflected the highest credit upon his ability as a statesman. Let me read to the House what Mr. TILLEY did say upon the occasion, and it will be found that his words most completely vindicate him; and I would ask the House to mark that his statement, which has proved to be so remarkably accurate, was made long in advance of the time that it was to be verified. Mr. TILLEY in submitting his estimate to the House and in giving a statement of the condition of public affairs said :—

"Now, the question arises, how is the Government to obtain the means of paying for this increased expenditure. It was intimated last session, that after having made a reduction of $1,200,000 of duties, the Government would probably have to ask the House this session for increased taxation in some direction. And I can quite understand, sir, that hon. members and the country generally would not be disappointed if the Government were to declare on the present occasion that such was their intention; but after having surveyed the whole matter carefully, and looked into it with a most rigid scrutiny, they have arrived at the conclusion that it is not wise nor is it necessary to ask Parliament this session to impose any additional taxation."

As if this were not strong enough to satisfy every one that additional taxation was not necessary, he adds :—

"The Government have concluded to make no present change, inasmuch as they believe they will have means amply sufficient to meet all the requirements of the country."

Further on he says :—

"On the whole if our estimates be based on eorrect principles, we will have a revenue of $21,740,000, against an estimated expenditure of $20,826,849, or a surplus of $913,151. Of course there will be supplementary estimates, and other propositions which may cover a large portion of this estimated surplus, but the Government feel that they are not in a position requiring them to ask additional taxation."

Not only, Sir, did Mr. TILLEY not anticipate a deficit, but he showed that such was the prosperity of Canadathat it would only be after spending thirty millions to complete our canals, and thirty millions more as a subsidy to the Canada Pacific Railway, that the three millionsadditional taxation would be required. If he did speak of three millions additional taxation it was only in anticipation of the sixty millions additional debt to meet, whereas my hon. friend has only $182,000 of additional debt to meet. I stand here now to tell him that on the 1st July, 1875, he will have a surplus of three millions; and a year hence I will stand in the same relation to him with regard to that prediction that I did with regard to the position I took a year ago. If the hon. gentleman goes on making lavish presents to his friends out of the public treasury with the consent of this House he may be able to reduce these figures a little, but I believe it will puzzle even the hon. Minister of Finance, with his extraordinary facility for the creation of a deficit, to damage the position I have taken up to any great extent. I have already reminded the House that last year I predicted that there would be no less than $500,000 of a surplus if there were no increase of taxation, and I will do Mr. TILLEY the justice to draw the attention of the House to what he states in reference to that subject. Having shown the policy that the late Government had pursued; having shown what had been achieved in respect to trade and commerce under the policy of progress carried out by the Government, Mr. TILLEY asked what will be the result of the expenditure of the sixty millions of dollars for canals and the Pacific Railway. He says :—

"And can we suppose that with all these influences there will not be an increased revenue sufficient to meet the interest on increased expenditure for public works?"

So far from the taxes being increased in consequence of that expenditure of sixty millions, he shows that, let Canada go on in the future as she has in the past under our administration of Public Affairs, and we may confidently anticipate a sufficient increase in the revenue of the country to meet these three millions of additional taxation. Mr. TILLEY says :—

"But supposing that all this is a vain delusion, suppose that notwithstanding this enormous expenditure, suppose that notwithstanding the completion of the Pacific Railway and the opening up of our magnificent canals, the population should not increased beyond the per centage of

the past ten years. Suppose there should be no increase in the importations and in the general trade, which is supposable, but which certainly will not be realized. Let us see what our position would then be in the event of our having to fall back on increased taxation to make up deficiency. I have stated that in the last five years the average of duty collected on the imports was 12¾ per cent. For the first six months of the current year it was not ten per cent. At the expiration of the year it will not exceed ten per cent. Suppose it became necessary to impose additional taxation on the people equal to that which has been exacted during the first five years of Confederation, by increasing the average from 10 to 12¾ per cent. Has the taxation of the past been oppressive? Have our people felt that it was grievous and hard to bear? I think not. But let us apply that increased taxation to the imports of the present year which will probably be $125,000,000. This would give us $3,437,500 to meet the interest, and the sinking fund, and the commission on interest amounting altogether to $3,367,000. Bearing in mind that during the last five years we could have borne an increased debt of $30,000,000; we can bear $30,000,000 more in the next ten years, without materially increasing the taxation of the people, while at the same time we are opening up a magnificent country for the millions who will pour into it, and are increasing the strength and power of this Dominion, and making it what I trust it will ever continue to be, the strong right arm of our own British Empire."

I think, Mr. SPEAKER, I have vindicated my late hon. colleague, and the hon. gentleman's predecessor against the imputation of having proposed an increased taxation of three millions in order to cover a deficit which would arise in 1873-74. But there is another phase in connection with these statements to which I will direct the attention of the House and it is this:—I say there is no member of this House but must regard with pleasure the fact the statement of the Finance Minister made a year ago that he would require these additional three millions has proved altogether unfounded. I cannot but believe that the hon. gentleman himself possesses a spirit of patriotism sufficient to lead him to rejoice that in this particular he proved a false prophet. But there is a feature connected with this increased taxation of three millions on the people of this country that I feel ought to be gratifying to the members of this House and to the people, and it is this:—that three millions—more than this, if we are to judge by what we have already received—have been taken from the pockets of the people during the past year in increased taxation, and I doubt if any one would have known it, if I had not made a noise about it. Such is the position of Canada, and it is a circumstance that no patriotic mind could contemplate without a feeling of pride—such is the power of the people to bear taxation, which springs from the wealth of the people as compared with that of most other countries, that these three millions of additional taxes, whether required or not, had slipped from the pockets of the people into the public treasury without any person having felt that there was reason to complain. I give that to the hon. gentleman as the reason why this House and this country would never suffer the hon. Minister of Finance to throw a doubt on the capacity of the people to carry to completion the great public works on which the prosperity and future progress of Canada depend. Now, sir, the hon. gentleman stated that he had nowhere stated that the expenditure would reach twenty-four millions. What was all the discussion about last winter? Was it that the hon. gentleman would establish a deficit on paper which would never really exist, or was it a tangible deficit that would have to be met by increased taxation? I will not turn to the hon. gentleman's speech unless it is necessary to do so. Any hon. gentleman has only to read it to find that the whole controversy last year was whether the expenditure which would be made during the year ending 1st July, 1874, required increased taxation in order to meet the then existing deficit. But if a single doubt remains in the mind of the Minister of Finance himself—for none remain in the mind of any other gentleman in this House or in the country who has watched the progress of the discussion—as to whether there can by any possibility exist a deficit—let me remove that doubt by turning the hon. gentleman's attention to a page in the printed public accounts that has not yet attracted the attention of this House. What is it? If he will turn to page 12 of the public accounts he will find a statement which he himself has submitted to the House, of the amount that has been expended on capital account out of the current revenue of the year. Will you tell me how any person can make an expenditure on capital account out of current expenditure unless he has got the funds? What is the fact? The fact is,

that during our seven years' occupation of office—those seven years to which to the end of time I and other men who had the honor of assisting in the administration of public affairs will point with just pride as the best proof of the manner in which we administered the public affairs of this country—that statement will show that we were able to expend on capital account during those seven years no less than $13,430,208. But what more? The hon. gentleman shows that in this very year for which he claimed there would be a deficit on the 1st July, 1874, there had been expended $1,705,256 on capital account out of the current revenue of the country. The hon. gentleman never made a statement which received my more implicit concurrence than that statement made under his own hand. I think, sir, I may now safely venture to turn away from this question of a deficit, which I think it will be many years before Parliament again discusses. I do not intend to follow the hon. gentleman in his remarks with respect to the statement I made in regard to the loan, further than to say that he entirely mis-stated—and, I am bound to assume, he entirely misunderstood—the argument I addressed to the House. I did not say that the hon. gentleman's loan was effected on terms that were $2,600,000 worse than those which might have been obtained. What I did say was this — that the *Globe*, the organ of his party, on the return of the hon. gentleman from England, had claimed that he had negotiated that loan on terms which, compared with the value of our 5 per cents. in London at that time, was a boon of $800,000 to the people of Canada. I said that that statement had been subjected to criticism, and it had been shown beyond controversy by an accountant residing in Guelph, whose figures had never been controverted, because they were strictly accurate, that instead of the loan being a gain, as compared with the sale of the 5 per cents at 107, it was a loss to the country of $2,600,000. They would see that if the hon. gentleman could have sold his £4,000,000 sterling at the same rate as the 5 per cents. at a premium of 7, the country would have been $2,600,000 better off at the end of thirty years than under the terms obtained. That is a statement for which I am prepared to hold myself responsible in this House or out of it. I did not, however, state that the hon. gentleman could have obtained those terms, because on referring to the report he will see that I said it was impossible to negotiate a loan for £4,000,000 sterling on the same terms as small parcels of debentures could be sold at. I have placed that statement in the hands of the most eminent financier in this country, and it received his entire concurrence, as it has also received the concurrence of every skilful accountant who has investigated it. There could not be much better evidence that the statement was incontrovertible than that afforded by the action of the *Globe* newspaper; although that paper had sounded loud peans of triumph at the terms obtained when the hon. gentleman returned from England, yet it never attempted to controvert the statements made in that letter from the Guelph accountant. They are not in the habit of admitting that they are wrong, and therefore it would be expecting too much to have hoped that they would have made such an admission, but they had tacitly admitted the truth of the statement that the *Globe* was about three millions astray in its statement by publishing that accountant's letter, and leaving its contents uncontroverted to the present hour. But the hon. gentleman conceded everything in regard to the loan. I clearly showed that the little colony of New Zealand with a population of 375,000 and a public debt comparatively as large as our own went, side by side with Canada into the money market, and floated a loan on better terms than our Finance Minister. When that fact had to be admitted, as it was admitted, there is an end to the discussion as to whether Canada is to be profoundly grateful to the hon. Minister of Finance for the manner in which he had negotiated the loan. Now, Mr. SPEAKER, I don't intend to follow the hon. gentleman into the discussion which he has invited as to the conduct of the late Government in relation to the Pacific Railway. I believe every hon. member in this House and every intelligent man in this country is coming to the conclusion that the time has arrived when these gentlemen at the head of our affairs should find some other mode of vindicating their public conduct in the presence of this House and country than that of reiterating the Pacific Railway scandal.

I do not wish to weary the House, but I will throw out this challenge—I will meet any gentleman at any time and in any place to discuss in the face of a free and intelligent people everything in relation to that transaction. I desire to vindicate the character of gentlemen who are not here, viz: the directors of Inter-Oceanic Railway Company in Toronto, and the Directors of the Canada Pacific Railway Company in Montreal. Who are these gentlemen who are described as lunatics by the Minister of Finance, for the hon. gentleman said that the scheme of a Canadian Pacific Railway was an insane project? Who are the lunatics who are ready to engage in that so-called insane project? If the project of the Government was an insane one, why were the directors of these companies ready to fight to the death to obtain possession of the work? Why were Hon. Mr. McMASTER, Mr. W. H. HOWLAND, late President of the Dominion Board of Trade, Mr. McINNES, Mr. CUMBERLAND, Mr. WALTER SHANLY, the Postmaster General, the Minister of Customs, Hon. DAVID CHRISTIE and Sir HUGH ALLEN, all anxious to gain command of the scheme. I need not say more to vindicate the late Government for having engaged in that so-called insane project. I think the hon. Minister of Finance unnecessarily widened the discussion which took place on the last occasion; but as he did so I am bound to deal with the statements that hon. gentleman has put before the country, and which, because of the position held by the hon. Minister of Finance, I must deal with in order to vindicate my late colleague. The hon. gentleman, I think, forgot somewhat what was due to the House when he said:—

"He called the House to bear in mind, because they would have occasion before long to make further investigation into that matter, that for the last fifteen years the railways of Nova Scotia and New Brunswick had engaged the earnest attention of the hon. member for Cumberland, with what result let the report of Mr. C. J. BRYDGES and still more the answer of Mr. CARVELL show."

The hon. Minister of France, in another portion of his speech, said:

"On coming into office he found these railways greatly run down and very badly managed; and, therefore, a large amount will be necessary to put them in a state of efficiency."

That is a challenge which I stand here prepared to accept to the fullest possible extent, and I claim that I shall be able to show, out of the mouths of his own witness, that the statement he has ventured to make—that he found the railways run down and in a bad condition—is as inaccurate as it is possible for any statement to be made by any gentleman. I shall be prepared to prove, out of the mouth of the man selected by the hon. gentleman to throw all the discredit that could be thrown on myself and my colleagues, that the utterances of the hon. Finance Minister are utterly and entirely unfounded in fact. I am prepared to show that if there is a man they could not afford to send on that mission, that man is C. J. BRYDGES. It is painful for me to say anything to wound the feelings of any one. It is so when it affects the hon. Finance Minister who is present to defend himself, but it is doubly painful to me when the gentleman is absent, and I only do so in the discharge of a public duty. But Mr. BYDGES has a Minister of the Crown to give him a certificate of character in the strongest and most glowing terms, and I will only be doing what the House will say I am justified in doing, when I challenge proof from this report that his statements are unfounded. They could not employ Mr. Bridges on this mission without a loss of public character, because for twelve years he had been denounced by the Bible of their party, the *Globe*, of Toronto, and held up to the execration of the people of this country, not only as a man utterly unqualified to discharge the duties of manager of a railway, but also as a man whose integrity could not be relied upon, and as one engaged in every job that has impoverished the Grand Trunk Railway. He was denounced as being so utterly incompetent for his office that they had to keep a standing column of the *Globe* for publishing a list of the smash-ups and crash-ups resulting through his mismanagement on the Grand Trunk Railway. If they wish any intelligent man in this country forever after to believe that their statements in reference to any public man are not a tissue of lies, I ask how they can place that man in office. I do not endorse their statements; I did not believe them then; I do not

believe them now, and I have no hesitation in saying so. It is not only a fact that Mr. BRYDGES has been held up for years to the execration of the people of this country as a man not to be trusted with the management of a railroad, but what did the Premier say of him a year ago? When I listened to the eulogium passed on him the other night by that hon. gentleman, when I heard him dwell on the services of Mr. BRYDGES to the country, I could not but turn back to what occured not long ago in the committee on Public Accounts. Do I require to tell any person in this country that from the hour Mr. BRYDGES was appointed a commissioner on the Intercolonial Railroad, that the appointment was assailed as one disgraceful to the Government of the day. They cited his past bad management on the Grand Trunk Railway as proof that he was unfit for the position. The Premier arraigned him before the Committee of Public Accounts.

Hon. Mr. BLAKE—Hear! hear!

Hon. Mr. TUPPER—I hear the hon. member for South Bruce, with his derisive "Hear! hear!" That hon. gentleman has proved equal on past occasions to just such work as this, and will be equal to it now. The man who upholds the standard of public morality, has shown himself worthy of the party that for years held up Mr. BRYDGES to public execration, and exerted themselves to strike down his character.

Hon. Mr. BLAKE—No, no!

Hon. Mr. TUPPER—I will read from their statements, and see whether he will have breath to say No. I will show that hon. gentlemen opposite endeavored to brand Mr. BRYDGES as a man not to be trusted with the expenditure of public money. The House will remember that the conduct of the Intercolonial Railroad Commissioners was arraigned before the Committee on Public Accounts by hon. gentlemen opposite, and after a full and exhaustive examination—lasting for weeks—of one contract, Mr. BRYDGES was permitted to appear in vindication of his own character as a Commissioner. After the First Minister had listened to him, hour after hour, what did he do? Accept his statement and acquit him as a public officer? No! He came down stairs and moved a resolution with reference to a payment of $64,685, which, as these gentlemen stated, Mr. BRYDGES had paid to one contractor of the Intercolonial Railway, out of the public funds of this country, more than he should receive. That resolution was that, "showing an over-payment of $64,685, that the payment of money to contractors in excess of the contract sum is a gross violation of public duty, and that the system of ignoring the terms of contracts entered into with the Government and reported without Parliamentary authority is inexpedient and unjustifiable." Here is the gentleman that the hon. First Minister, when sitting on the Opposition benches, charged with having improperly expended $64,000 of the public funds, and this is the same gentleman who, the moment the First Minister is in power, finds it not inconsistent with his former abuse to make him sole autocrat of the construction of the Intercolonial Railway, with all the hundreds of thousands of dollars that have to be paid out. Now, I ask, with such a fact as that standing out patent before the people of this country, how they can ever expect their denunciations of any man to mean anything but this—that whoever is charged by them or their organs with being dishonest and incapable is the very type of honor and ability, provided he only transfers his allegiance to their party. I say no party in this country can afford to place themselves in such a position as that, because, when they do, their strongest criticisms, however well deserved they may be, will be accepted by the people of this country as unfounded in fact, and which the moment they have the power to discredit by their acts they show that they themselves did not believe. But there were other reasons why this gentleman should not have been sent on such a mission. What had been the effect of these assaults on his character? Under the pressure of the feeling these years of concentrated attack by that great organ of public sentiment in this country, Mr. BRYDGES was obliged, to avoid an ignominous dismissal, to send in his resignation by a cable telegram, of the position he held as manager of the Grand Trunk Railway. This gentleman being thus left destitute of a situation, and in search of employment, was selected by the men who had assailed him for years, as the man to send down to the Lower Provinces to give a fair, manly and independent report of

the condition of the railways. He was clothed with the title of Inspector, to inspect these roads, with the knowledge that if he could make out a case and undermine the manager of the public railways of New Brunswick and Nova Scotia, there was a situation open for him. He goes down, undermines the manager and gets the position. If these gentlemen wished to have Mr. BRYDGES' report accepted by the people of this country as an impartial statement, they would not have sent a man to make it who was in search of employment and got it by displacing another. I do not under-rate the ability of Mr. BRYDGES and whatever integrity he may possess. I say he was placed in a position of temptation that no Government should have put him in. His ability no man will question. If there is a man in this country who is able to put the English language together in a way that will convey an impression favorable to the views which the gentleman himself wishes to be conveyed, that gentleman is C. J. BRYDGES. I will fearlessly place this report in the hands of the ablest railway men in this country; in the hands of men who are most capable of criticizing the condition of railways, and rest my whole case as to the condition in which he found the Nova Scotia and New Brunswich Railways. Yet so ingeniously is it strung together that it is calculated to leave an impression upon the minds of the people of this country and of gentlemen who do not examine it carefully, the same as that expressed by the hon. Finance Minister to the House—that the railways were found to be in a bad condition. I will take that report and prove within itself that Mr. BRYDGES found the Nova Scotia and New Brunswick railways in a condition which will bear favorable comparison with that of any railroad on this continent. Every person knows that this item of $546,000 grew out of the vigor and energy displayed by the Government in putting these railways in a complete and efficient condition. Every one knows that has read this report that Mr. BRYDGES states in it that so completely had we provided for all the new works that a sum of $15,000 is all that is required to complete them. It was only the other day that these two systems of railways in Nova Scotia and New Brunswick were brought together by the construction of the Intercolonial line between Moncton and Truro. Everyone knows that the superintendent of these two lines was engaged in amalgamating the two systems and that we made large expenditures in relaying the track with steel rails, until we brought the road into such a condition that Mr. BRYDGES, after going over it, and examining every nook and corner, reports to the Government that all that is required for new works during the year, is an expenditure of $15,000. Yet when less than $20,000 is required to put the railway in splendid condition, the Finance Minister asks the House to believe that he found those railways run down and in bad condition, This report shows that in rolling stock, cars, and the whole condition of road, Mr. BRYDGES is compelled by force of facts that he cannot evade, to report to the Government that he found this road in such a position that it would challenge comparison, and challenge it favorably, with any railroad in this country. Let me draw the attention of the House, in support of this statement, to page 17 of the report, in which he speaks of the new works required on the whole system in New Brunswick and Nova Scotia. He says :—

"In regard to the question of the amount of accommodation now existing along the line, and what is required to provide what is necessary, I may say generally that there is almost everywhere sufficient accommodation at present. Halifax, of course, I shall deal with separately, but outside of Halifax the most urgent is an extension of facilities at Pictou Landing. There are, in addition to this, a few matters which I think ought to be done this year, not, however, costing more than $15,000, and which, when done, will, with what I understand has already been authorized in the last estimates, place the entire system in a condition which will be satisfactory, for a considerable increase over the present traffic."

So the commissioner sent to spy out the nakedness of the land, and hunt for a situation for himself, is compelled to come back and tell the Government that he cannot find a place where he can spend $20,000 on the line, because $15,000 will put everything in such a splendid condition that it will not only meet all the present necessities of the road, but provide for a large additional traffic. On page six, he says he is compelled to report an enormous expenditure having been made in previous years, and the road having been brought into a thoroughly efficient

condition. Not only that, but the locomotive power, besides being enough to do the whole business of the road, will give enough to open 80 miles without the expenditure of a dollar. Why, sir, he was unable after the closest examination to show that in the business of the road the receipts of which are three-quarters of a million per annum there was more than £500 missing in five years. In his report Mr. BRYDGES speaks in the following manner of the gentleman at the head of the Audit Office upon whose integrity and ability depended the exposure of any mismanagement :—

"In the Audit Office, at the head of it, Mr. J. J. WALLACE, appears to be a painstaking and careful officer, and with some changes of system, which at my suggestion, he will, I am sure, readily adopt, I think the work in his office will be properly carried on ; and the staff in it is neither too large nor too small, for the work which is to be done."

"All returns from the different stations are sent promptly, and regularly, and with full information to the Audit Office. They are there examined and collated, but there is a want of a perfect and regular system of inspection, of the accounts themselves, at each individual station."

Then let me turn to page 12 and what do we find. He says :—"I have no reason at all to believe that there was anything wrong at any of the stations." I think that is a tolerably satisfactory statement with reference to the stations. I am aware that he has pointed to the portion of the road that runs through the county I have the honor to represent, and has charged that the station masters there are old and incapable. That of course is pointed at myself. It would be readily understood that I would suggest the names of station masters for that section of the road, and those station masters recommended by me remain in their positions to this day, and though they may not be expert accountants, they are all men of integrity and intelligence. You cannot expect to secure skilful accountants for a salary of $400 per annum, an amount which would not obtain the services of an ignorant day laborer. And yet, because these gentlemen are not first-class accountants, the finger of scorn is pointed at them by Mr. BRYDGES, or rather at me for naming such officers, although I named men of the highest character and integrity. Then, if you turn to the 22nd page, you will find that exception is taken to the location of the Grenville station, and the statement, I have no hesitation in saying, is aimed at myself. He says :—

"The Grenville station, on the Central District, has clearly been placed in a wrong position. It is a mile away from the main road, and with no approach except the one which carries the railway over the river, which intervenes between the road and the station.

"It has evidently been put there for some reason other than that connected with the traffic of the line, and is very loudly and justly complained of by the sections of country through which the roads crossing the railway pass. I saw the people in the vicinity when passing there, and they have agreed to give all the land that is necessary for the placing of the station in a proper place. The cost of removing it and the siding will be $1,800. This should be done without delay."

What will the House think when I tell them that that station is there to-day exactly where it was when this report was made, declaring that it must be removed without delay. It has not been removed, and for the best reason, because the man who wrote that report found upon examination that he could not remove it to the place he proposed to do. This station was located by the Chief Engineer and Mr. BRYDGES himself, and if he will remove the seal of secrecy from a letter over his own signature I will prove by his own hand-writing that the location which he now denounces was made by himself and his brother commissioners. It is said that this station should have been placed at the road crossing, and that it was placed where it is for some reason other than that connected with the traffic of the line. Does any hon. gentleman suppose that I would not be anxious, as member for the county, to accommodate the people as far as I possibly could ? But when I tell the House that the Chief Engineer stated that the grade at the road crossing was such that every time the train started or stopped would involve an additional expenditure of public money ; that it would interfere with the rapid transmission of mails and passengers, that this was the nearest point to that road-crossing that could be obtained without sacrificing the public interest, and that the station was put where it is for these reasons, the House will see that I have just grounds for saying that this report, instead of being a fair, honest and manly report,

is one prepared for the purpose of endeavoring to strike a blow at the late administration, but which, like the boomerang, only rebounds with double force upon the heads of its authors. We will now turn to page 32 and we find that he has great fault to find with the fact that Mr. MACNAB, the engineer of this road, does not appoint his own officers to assist him, and serve under him, and he makes this statement, the soundness of which I am not disposed to controvert :—

"I am quite clear that this is a wrong position, and that no Engineer can successfully carry on such works, as Mr. MACNAB is entrusted with, unless he has full authority to deal with the men, if he thinks they are not acting properly, or do not perform the duties entrusted to them."

What will the House think when I tell them that the practice of this gentleman, who finds out at this late hour that an engineer cannot discharge his duties satisfactorily unless he can appoint the engineers that serve under him, differs very much from his precept, and that Mr. FLEMING could not name an engineer on the Intercolonial Railway without the consent of Mr. C. J. BRYDGES, and engineers were appointed and removed by that gentleman without reference to the Chief Engineer ; so that the very practice which he claims should be followed in this case is utterly at variance with his own acts, and that is his strongest condemnation. Then, on page 36 what does he say in reference to the character of the road ? I have shown that as far as the new works were concerned he was unable to find any room for the expenditure of more than $20,000, and now in reference to the condition of the permanent way he says :—

"From the date of the amalgamation, that is, the opening of the Central districts, on the 9th November, 1872, up to the close of the present year, there will have been renewed 315,000 sleepers, or more than one-third of the whole."

I think that it is a tolerably good certificate, and it strikes from under the Minister of Finance the ground that he took when he stated that the road was run down and in a bad condition. Does he think that the Government should have put in more than one-third of the new sleepers during that brief period ? Mr. BRYDGES continues :—

"At the end of this year, the condition of the sleepers generally will be in very fair condition, and it will not require, in my judgment, more than an average of about 100,000 a year in future, to keep the line in a proper and satisfactory condition."

I have already stated that one of our large expenditures was the relaying of the road with steel rails, and taking up the old iron rails. So much for the track. I have shown that so far as these two important items in connection with the condition of a road are concerned, Mr. BRYDGES is compelled to admit that there is nothing to be desired, but everything is in a very fair condition. And yet the Minister of Finance comes to the conclusion that this road thus testified to by Mr. BRYDGES as being in a thoroughly satisfactory condition, was run down and in a bad condition. Then with reference to one other most important part of a railway, the sidings, Mr. BRYDGES says :—

"With the addition of the slight recommendations which I have made, of the few additional sidings wanted, the siding capacity of the line will be ample for all purposes."

"The siding accommodation with what I have now recommended will, in my judgment, be ample for a considerable increase of traffic beyond what already exists, and no further sidings should be put down without a special report."

So that in relation to the track, in relation to the sleepers, in relation to the sidings, and in relation to new works required, Mr. BRYDGES can find no place in which public money required to be expended. And when I tell the House that, notwithstanding the statement of the Finance Minister that this road was run down and in a bad condition, he only asks this year $58,000 to put the road in good condition, and for corresponding services, on which we spent over half a million the last year we were in power. I have shown that we have not only Mr. BRYDGES' report, but the evidence of the Finance Minister himself, proving that the road is in a good condition. Then, if you turn to page 41, you will find this statement in reference to the locomotives :—

"The total number is 72, of which 36 have been placed upon the line since the beginning of the year 1870, and six more are now under completion at the workshops at Richmond. These 36 have all been obtained from good makers."

"There are 47 engines upon the line, all in good order, and of comparatively recent manufacture. These engines, in

point of fact, are now doing almost the whole work of the railway, the older engines being used for very light work, or for shunting purposes."

In another place he says with regard to the Locomotive Department, the most important department in a railway, that it is in a splendid condition, and that without spending an additional dollar he can open the line from Moncton to Newcastle. And yet this is the report upon which my hon. friend came to the conclusion that the road was run down and badly managed and in a very disastrous condition. I turn now to page 43 and I find that Mr. BRYDGES says with reference to the car stock:—

"All these cars will be completed by the end of July; when the passenger car stock will generally be in a good condition, although for the next year or two there will be considerable outlay required for painting and renovating some of them."

So that we have the rails, the sleepers, the sidings, all the new works required except what $15,000 will supply, the locomotives, the cars—we have everything proclaimed by Mr. BRYDGES to be in a condition that will challenge the most favorable comparison with any road on this continent. Now, I think I need not trouble the House longer with extracts from this report. I stated that I would prove out of the mouth of Mr. BRYDGES that he found this road, instead of being run down and in a bad condition, in such a condition that the late administration have no reason to shrink from the fullest investigation in connection with it, and I think I have done so. But we have been told that there have been very extravagant expenditure in connection with some of the supplies on the road. Now, I do not intend to deal with the statements made by Mr. BRYDGES in connection with the firm of FRASER, REYNOLDS & Co., further than to say one word. The House knows that that matter is undergoing the investigation of a sub-committee of the Public Accounts Committee, and I shall await the report of that committee before addressing a single remark in reference to that subject further than to say this:—That I take this opportunity here in my place in the House to state that I never had in my life any connection with the firm of FRASER, REYNOLDS & Co.; that I never had any interest in that firm which the hon. Minister of Finance, himself, had not, I say here from my place in this House, that I never had cognizance of the business transactions between the Government and FRASER, REYNOLDS & Co. I state frankly that that company were political friends of the late administration, that one gentleman connected with it, Mr. GRANT, was not only a political but a warm personal friend of my own, and I shall await with calmness the report of the committee, and I shall be greatly surprised to learn that any of these gentlemen have been connected with any transactions which will reflect any personal dishonor upon them, because, so far as my knowledge of them goes they are men of high character and high standing, and have a high sense of personal honor. Mr. GRANT was QUEEN'S PRINTER for several years of the Government of which I was the head. I feel I would be doing wrong, as this matter is under investigation, to address a single word upon the subject except that which I do state in my place, and that is that the Minister of Public Works himself to-day has the same connection—aye, a much stronger connection—with a firm supporting his Government as I had with FRASER, REYNOLDS & Co. I say as Mr. CARVELL has stated in his report that the custom in Nova Scotia has been when one Government went out and another took their place, for the legitimate patronage of the Government to go to their friends. I have no hesitation in saying that that is my policy; that I believe a Government have a right to prefer their political friends to their political foes; and if the patronage of the late Government went to their political friends, I challenge any man living to show that any member of the late Administration ever gave the slightest intimation of a desire to put one dollar of the public money in the pockets of any of their friends more than what would be required to obtain the same supplies elsewhere. But the Government had no sooner changed hands than a rival firm to that of FRASER, REYNOLDS & Co., came to Ottawa, and I presume had an interview with the Minister of Public Works. At all events Mr. CARVELL who is summoned before the sub-committee of Public Accounts will tell under oath, if he is asked, and will produce a letter if his

word is doubted, that the Government had no sooner changed hands than the Chief Secretary of the Public Works Department, Mr. BRAUN, addressed an official letter to him telling him to hand over the patronage of the Railway Department so far as supplies were concerned to the political friends of gentlemen opposite; the firm of BLACK BROS. & Co. I do not blame them for that. I say they would have done wrong if they had not given any patronage that they could legitimately give to those who support them, and in whom they have confidence. Having shown that this report of Mr. BRYDGES bears out all that I claim respecting the good condition in which this great public work was handed over by the late administration to their successors, let me draw the attention of the House to the evidence that there was no excessive or improper expenditure in connection with the supplies. Mr. BRYDGES was sent down to report upon this expenditure, and on the first page of his supplementary report he states that the total outlay for working expenses and maintenance of way for the year ending 30th June, 1874, was $1,301,550. Now, look at the estimates laid on the table by the present Finance Minister, who wishes the House to believe that he is going to save half a million of money in this matter, and what do we find? We find that while he only asks for $58,000 for expenditure outside of maintenance of way and working expenses, thereby furnishing the very best evidence that the road was handed over to the present Government in a splendid condition, he asks no less than $1,300,000 for working expenses and maintenance of way in Nova Scotia and New Brunswick, as against our expenditure of $1,301,550, showing only a saving of $1,550. I say, therefore, that I want no better evidence than his own figures to prove that if there were any extravagance on our part the hon. gentleman does not intend to retrench that extravagance. Now, before I pass away from the report of Mr. BRYDGES, I want to draw the attention of the House to a fact upon which he lays great stress. He tells the Government that the political management of the railway is wrong; that it is a vicious system; that it is crowding the department with incapable officials; that men are appointed to the offices in connection with the railway not because they could manage railways, but because they were political partizans. Well, I think the best evidence I can give the House of the want of truthfulness—no, I will not use that word, I will say want of accuracy in that statement, for the Government placed him in a position not to hear what his ears otherwise would have heard—is furnished by Mr. BRYDGES himself. He himself supplies the evidence that under this political system the late Government furnished the best men that the country could supply for this important work. He, in the first place, becomes an inspector, and then when he says all is wrong, he is clothed with the power to reform, and is made superintendent, and what then does he do? He goes and returns again, and tells the Government that all is serene, and that he has got every position in connection with the road filled with able and competent men. Where do you suppose he got them? He says he got every one of them inside of the Department, that this corrupt, vicious system, that had crowded the Department with incapable officials, had furnished to his hands all the men he had required in order to put that road under the most satisfactory administration. Let me read you what he says:—

"These resignations and dismissals of course rendered necessary the entire reorganization of the different departments, and this has been accomplished by promoting those men in the service who were found to be deserving, and who were fitted for the duties they will be required to perform, and without the employment of one single person, who had not previously been in the service of the railway.

"I have no doubt, whatever, that the organization which has now been perfected will prove to be a satisfactory one. The men who have been placed in the different positions have been selected on account of their fitness for the offices which they have to fill. They have, by their past record, shown that they deserve to have confidence placed in them, and I have every reason to believe that satisfactory results will follow from the arrangements which have been made."

Now I have shown from his report that he has found everything connected with the road—the rolling stock, sleepers,

sidings, &c.—in a splendid condition; that he found in the Audit officeand the offices along the line, able and competent men, and that everything was going on rightly, and that when he undertook to reorganize the Department, he found all the men he needed furnished to his hand by the late Government. But what more, sir? You may say he had to remove a number of officers; that he had decreased his staff. I have explained to you that this road was in this condition; that two systems had just been amalgamated; that a great deal had been expended to put in a thoroughly efficient state, and that the late Government were prepared, in accordance with the dictates of that wise and economical mode of administration which they carried into all the affairs of the country, to make other reductions and improvements. But there is an item in this connection which will rather amuse the House. Mr. BRYDGES says he does not care whether it is the past or the present Government which is responsible, but he must have the affairs of this road carried on entirely independent of political influences. He, sir, is the autocrat of the whole road from River du Loup to Halifax. He can afford to treat our public men with perfect contempt, and no other but Mr. C. J. BRYDGES has any control of the management of those railways. Has he shown that he is fitted for such a position? I will read to you one or two extracts from his report, and you will be able to judge for yourselves. In that portion which I propose to read to you Mr. BRYDGES has heaped upon one of the most important officers on the railway—a man who holds a position second to none on the road—the Superintendent of the locomotive department—the gentleman upon whose energy and ability depends the whole safety of life and property on the road—every term of opprobrium and contempt that the English language could furnish him with. He did not consider that Mr. WHITNEY had the necessary experience or force of character for the position which he filled! He was not a mechanic! He had never gone over the shops! He was learning his business at the expense of the railway! He had no experience and no force of character! He had no business habits! He had no vigor, and indeed everything was said of him to convince the country that it was dangerous and wrong for him to be continued in charge of the Department. Further on you will find that Mr. BRYDGES had the advantage of the advice and assistance of the Minister of Marine and Fisheries, and of the Minister of Customs; and as a result of that advice we find that he comes to the conclusion that this man should be continued in his office for which were we to believe his original estimate he was so entirely unfitted. This is the man who is to bring about a political milennium—a man to whom the Government have entrusted the entire management and control of our railways. Here is what he says:—

"I am bound to say that having very carefully considered the question of the organization of the mechanical department at present, I consider it to be both expensive and inefficient. The mechanical superintendent, Mr. WHITNEY, although at the head of the entire establishment, has apparently but very little, if any, control over what is going on at Richmond and other places. There are practically two superintendents at work, each acting independently, and spending, therefore, in the aggregate, very much more money than ought to be spent.

"I do not consider that Mr. WHITNEY has the necessary experience or force of character for the position which he fills. He is not a mechanic; has never gone through the shops, in the proper sense of the word; and is in fact learning his business at the expense of the railway; nor does he appear to me to have the necessary qualifications for a Superintendent, and I am satisfied that a different class of man, brought up to the business, and having regularly served his time, both in the drawing office and in the shops, who had filled the position of Locomotive Foreman, would make large reforms in the Department, have the work better executed, and at a considerable saving of expense."

And now let me invite attention to the changed light after he had the benefit of the advice and assistance of the hon. the Minister of Marine and Fisheries, and the hon. the Minister of Customs. "In regard to the mechanical superintendent, Mr. WHITNEY," he says, "whilst I do not in any way change the opinions which I have previously expressed, I think it will be desirable to give him another trial. * * * Inasmuch as it may fairly be said under past circumstances that Mr. WHITNEY has not had a fair chance of showing what he is capable of doing, I recommend that he be retained at any rate for six months, during which time careful consideration will be given to the manner in which he carries out the duties of his office." Give him six months to do what? To learn his business at the

public expense, is it? Would six months enable him to learn his business, would they enable him to become a mechanic and give him all those qualities for the asserted want of which Mr. BRYDGES accuses him. Sir, there is one explanation of this change. and only one—that he, too, is not insensible to the influence of the masters under whom he serves—that although political influence was a vice when practiced by the late Government, it is a virtue when practiced by the present. Mr. BRYDGES, according to his own statement, made some wonderful discoveries, and saved the country a wonderful amount of money—$25,000 on one transaction. He could not have given a better illustration of his value to the Government; and I confidently believe he owes the office he now holds on the Great Western Railway to the statement in his report to the Government that on the single item of coal he saved $25,000. The House will be amused when I tell them, as Mr. CARVELL clearly proves, that there was no saving in reality, and that it was only the difference of the price of coal one day and another. The way in which Mr. BRYDGES proceeds to prove his assertion is this: He tells us that the late Superintendent paid so much for coal, and he got them for so much less. When he called the saving $25,000 he fell into a grievous error, for I believe that it was only something like $3,000. But Mr. CARVELL shows that in reality he lost $5,000 by closing the transaction at the time he did, instead of saving anything, for within a few days there was still a further reduction in the price of coal. Everybody can understand what a difference a few cents per ton would make in the cost of fuel to a road of the extent of the Intercolonial Railway. But, Sir, this gentleman, when he went down, informed the world through his report that the Spring Hill coal was worth nothing; it was at least twenty per cent. worse than Pictou coal; but the next day, when he found that your humble servant was not a stockholder, and that hon. gentlemen opposite were largely interested, he purchased 10,000 tons of it.

Hon. Mr. SMITH—I understood the honorable member to say that gentlemen on this side of the House—gentlemen in the Government presumably—had become interested in coal stock. I desire to know if I understood him correctly, and what it is that he insinuates.

Hon. Mr. TUPPER—I say I believe that Mr. BRYDGES, when he made his report against the Spring Hill coal, was under the impression that I was a stockholder in it, but when he went down to St. John and found that the Hon. Mr. BURPEE was a stockholder, and that I was not, he thought it necessary and proper to change his tactics. I do not complain that the Minister of Customs should have stock in that concern, nor do I speak of it to find fault, or to insinuate that there has been anything in his conduct in that regard which was at all open to exception. I simply state what the facts are.

Hon. Mr. BURPEE—I desire to explain, for the information of the hon. gentleman, and for the information of the House, that I had nothing whatever to do with the formation or organization of the Spring Hill company, and the only shares I ever had in it, which came to me at second hand, have been in the hands of the broker for over a year, and are nearly all disposed of.

Hon. Mr. TUPPER—I hope my hon. friend the Minister of Marine and Fisheries is satisfied.

Hon. Mr. SMITH—I desired that the hon. gentleman should be specific in his statement. He said there were gentlemen on this side of the House—meaning gentlemen in the Government—who had shares in the Spring Hill mine.

Hon. Mr. TUPPER—I correct myself, and say, instead of *gentlemen*, that there is a *gentleman*.

Hon. Mr. BURPEE—Perhaps the House will permit me to add that I never heard that tenders were being called for, nor did I know that coals had been purchased from any source whatever, until three weeks after the transaction closed.

Hon. Mr. TUPPER—I have expressly stated that I did not refer to this matter in order to find fault with the hon. gentleman, and I take this opportunity to state that I do not believe he had the slightest corrupt relations with any person in that connection. I consider it entirely consistent with the position he holds that he should be a shareholder in the Spring Hill Mining Company, and, indeed, I consider it an exceedingly proper thing that he, a member of the Government of this country, should encourage the development

of the resources of this country. What I was pointing out to the House was that, at the time Mr. BRYDGES understood that I was a stockholder in that company, he reported that the coal was worthless, and that a most disadvantageous bargain had been made in connection with the branch of railway, which I believe was made upon his own recommendation. But when he went down to St. John, and there learned who the proprietors were, he apologised to them, and made a contract with them for the supply of 10,000 tons of coal.

Hon. Mr. SMITH—To whom did he apologise?

Hon. Mr. TUPPER—He apologised to the President of the Company; and not only did he apologise, but he induced the Government to make them a present of five miles of railway, and to relay it with new iron. The hon., the Minister of Customs says he has placed his stock in the hands of a broker. I ask him what would be more calculated to damage its sale than this same report of Mr. BRYDGES, which is in direct contradiction to the report of one of the best authorities on the continent, Sir WILLIAM LOGAN, who declares it to be the best coal in America. I ask the House what could be more calculated to injure the stock of this Company than the report of Mr. BRYDGES, and what better calculated to restore it to its value than the fact that he went and purchased 10,000 tons for the use of the railway, whose management was in his hands. But I tell the hon. Minister of Customs that I believe he is incapable of having improper transactions with Mr. BRYDGES, and I will go further and say there is not a member of the present administration who would be connected with any transaction that was not perfectly fair and above board. So that if hon. gentlemen opposite feel I am personally attacking them, they are entirely mistaken; I am only showing in respect to this man who assumes to be autocrat of the railways in Canada, that if there is a man who is ready to bend his policy and statements to the interests of those he served it is C. J. BRYDGES. Well, he made another wonderful discovery—that the country had been robbed to the extent of $12,000 by the Spring Hill Mining Company giving short measure. The evidence of Mr. CARVELL shows, however, there was not one dollar lost in the purchase of coal, and Mr. BRYDGES was at last compelled to admit that the Government had received more coals, instead of less coals than they had paid for. Yet that gentleman (Mr. BRYDGES) so far forgot what was due to those who had supported and sustained him in the time of trial, when he was persecuted by the gentlemen then in Opposition, that he was ready to throw discredit on his former friends in order to obtain consideration from his new found friends. I believe Mr. BRYDGES has made a fatal mistake. I believe he has not only shown his incompetency in his report, but in assuming the position he has taken he has given pain to every friend in this country. Has he a friend in this country who does not feel pained in relation to his management of these railways, when he showed that he was ready to go down to the maritime provinces and lend himself to men who, during long years, had traduced him in every possible way, who had regarded him as utterly incompetent to manage the Intercolonial Railway, and who is called upon to make a report, which is our vindication here. We cannot regard with increased respect a man who is so soon ready to forget his former friends, and to sustain those who were in past years his most bitter foes. But what has been the result? Because there is a more important question underlying the matter than any I have yet touched upon, I say the result of his management has been disastrous to the Government and the country. I say that clothed with the power to deal with these railways, he has raised up throughout the Provinces of Nova Scotia and New Brunswick a host of enemies, among those who would otherwise have been friends of the Government.

Hon. Mr. SMITH—So much the better for you.

Hon. Mr. TUPPER—If Mr. BRYDGES had been anxious to be our friend he could not have pursued a policy which would have been more disastrous to the Government. In the hon. Minister of Marine and Fisheries' own county, public meeting after public meeting has been held, denouncing the mismanagement and cruel oppression in connection with the railway, and that, too, by the hon. gentleman's own constituents.

Hon. Mr. SMITH—Only against the tariff.

Hon. Mr. TUPPER—The tariff is everything.

Hon. Mr. SMITH—Perhaps the hon. gentleman will allow me to make an explanation. The public meetings were called, and not unnaturally so, to denounce the increase in the tariff, not with regard to the management of the railways.

Hon. Mr. TUPPER—There is in the House a gentleman, and he is a supporter of the Government, who attended these meetings and denounced the policy of cruel oppression pursued by Mr. BRYDGES. I say "cruel oppression," and I will show, too, that the country is injured. I feel keenly on this point. Everybody knows that I incurred obloquy by leading Nova Scotia into Confederation, and every opponent of union has been triumphant at the realization of their anticipations, and now declares: "Did we not say that Ontario would send down officials to grind down the people of the Maritime Provinces, irrespective of their rights." When the Government sends down a man who rode rough-shod over the people of the Maritime Provinces, they were not only doing an injury to those Provinces, but also to Ontario and Quebec, because their action contradicts the statement I made to my constituents—that they could confidently rely on the sense of justice and honor of the people of those great Provinces to act rightly towards the people of Nova Scotia and New Brunswick. When the late Mr. JOSEPH HOWE proposed the policy of constructing the railways in Nova Scotia, which policy was subsequently adopted in New Brunswick, it was not done with a view to constructing railways, to be conducted on what Mr. BRYDGES calls commercial principles. The people of the country were invited to take their own money out of the public treasury to defray the cost of constructing the railways, not looking to be recompensed from the receipts, but looking for a satisfactory return in the increased trade and revenue of the country. That policy had been eminently successful, and its success is proved by the largely increased revenues flowing into the Dominion Treasury from Nova Scotia and New Brunswick.

Hon. Mr. CARTWRIGHT—If the hon. gentleman wishes to know, I may say that the expenditure is one million more than the receipts.

Hon. Mr. TUPPER—The increased revenue goes into the Dominion Treasury. Did not Canada give twenty millions of dollars to the Grand Trunk Railway to foster and cheapen transportation through Ontario and Quebec, and yet the Government does not seek to operate the road on commercial principles, or obtain any revenue therefrom. Is it, then, right or fair, if it could be done to oppress the Maritime Provinces by endeavoring to enforce upon them a tariff which was never before contemplated. Instead of there being always a deficit from the railways, the deficit is only temporary. The time will come when the working expenses will be absolutely covered by the receipts. What has Mr. BRYDGES done? He went down to the Maritime Provinces and rode rough-shod over every interest existing there. Nothing was right from beginning to end—everything must be changed. The hon. Minister of Marine and Fisheries knows that the proposals Mr. BRYDGES made from one end of the lines to the other failed and changes have to be made not once but twice. I say Mr. BRYDGES' administration has been an entire failure as regards results obtained. There is less money in the Dominion Treasury to-day than there would have been if Mr. BRYDGES had never visited the road. Under the old tariff more money would have been received than was now derived under the present one. The adoption of his policy drove the agriculturalists off the line of railway, and they who previously carried their goods to market by rail, now carried them in sleighs. Every interest has been injured. In my own county the farmers, relying on the good faith of the Government, made contracts for the delivery of hay in Halifax, 130 miles distant. Every contract has had to be carried out at a large loss to the contractors, because without giving one hour's notice the additional charges were imposed, thus changing a profitable transaction into a losing one. Along those lines of railways various industries have grown up, and the people wake up on one fine morning to find that this man (Mr. BRYDGES) sent by the hon. Minister of Public Works to grind down the people of the Maritime Provinces, had suddenly sprung a tariff upon

them which entirely paralyzed the industries in which they were engaged. To stem the tide of discontent and trouble Mr. BRYDGES comes forward and says, "I will undo all I have done; I will make special rates." But that, Mr. SPEAKER, is entrusting enormous power to a man who is undeserving of it, because he will abuse it. It is giving the power to Mr. BRYDGES to favor here and there certain industries which he chose to favor, and it would lay the Government open to the suspicion that they were not dealing with even-handed justice by the people of the various sections. While you find Mr. BRYDGES increasing the tariff in the Maritime Provinces, paralysing trade along the line of railways so that the whole Provinces are arrayed against the administration, you see him reducing the tariff on the Great Western Railway from twenty to fifty per cent. below the existing rates. The adoption of Mr. BRYDGES' policy in the Maritime Provinces, I have shown therefore to have been in direct opposition to the wishes of the people, and most disastrous to the country so far as regards the collection of revenue. I regret, sir, that the hon. Minister of Finance should have widened this discussion in the way he did, and which compelled me to make these remarks; but I do not think the time I have occupied has been lost. It was impossible to avoid this discussion; if it had not come now, it would have come in relation to the Intercolonial Railway in New Brunswick and Nova Scotia. I, therefore, thought I was consulting the convenience of the House and economizing the public time by dealing with the subjects which the hon. Minister of Finance introduced into his reply to my criticism of his financial statement.

Hon. Mr. CARTWRIGHT said:—Mr. SPEAKER—As to the major part of the speech of the hon. member for Cumberland, that I can leave to the care of my friend, the Minister of Public Works, and also to Mr. BRYDGES, both of which gentlemen, I have not the slightest doubt; will take admirable care of themselves. Now, sir, generally speaking, when my hon. friend deals in assertions, particularly as to matters of facts and figures, it is my painful duty to dispute and utterly deny every statement whatever that the hon. gentleman may make. On the present occasion, I am heartily glad to say there is at least one statement made by him which I most cordially endorse, as I have no doubt does my hon. friend who sits beside me. When the hon. member for Cumberland stated to the House that he believed the taxation of this country had been increased twenty per cent. or thereabouts, without the people of Canada being inconvenienced by the burden, I believe he stated the truth, and no greater compliment could be paid to any tariff or to any Finance Minister. I would not have dared to pay such a compliment to the tariff myself, but I accept it from the hon. member for Cumberland in the spirit in which it is given.

Hon. Mr. TUPPER—It is true.

Hon. Mr. CARTWRIGHT—I am glad to hear it, and I hope hon. gentlemen will make a note of it. I would like to call the attention of the House to a remarkable omission made by my hon. friend. The House heard him read from the speech of Mr. TILLEY two paragraphs, but the House did not hear him—because they had not that speech about them as I had—read one still more remarkable paragraph inserted between the two he read. He read "The Government will not, during the present session, propose to touch the tariff in any particular." That was correctly read, but Mr. TILLEY went on to say "Under the peculiar circumstances in which we are placed, and with the certainty almost, looking at the increased expenditure of the next year, that some re-adjustment must take place next session, the Government have concluded to make no present change." That sentence was omitted, and from that omission coming between the two paragraphs quoted the House will learn with what remarkable fairness my hon. friend is wont to state his case. I must protest once for all against his assertion that whenever I do not explicitly deny a statement made by him, I admit its truth. I desire to say that when I do not expressly admit the truth of any statement of his in matters of arithmetic, I am to be understood as utterly denying it. This is the principle on which I deal with his arithmetic. Greatly as I admire the unquestionable valor with which the hon. gentleman charges the question, I am bound to say his valor exceeds his discretion. I will now refer to the customs refunds,

amounting to $69,000. These refunds were charged on a plan laid down while he, himself, was Minister of Customs, and established by an order in council. So far from the present Government desiring to maintain that rule, the very first thing we did after getting into power was to put a stop to this in the tariff brought down last year. We did that because we thought these railway companies were receiving more than they should in the matter of exemptions, and no portion of those refunds were given except on the report of the Minister of Customs, and also of the Minister of Justice, that the law required these refunds to be paid. As to the insinuation touching Mr. McMASTER, I must say I think that ought to have been omitted, especially by a gentleman who winces so much at any reference made to the last transaction in which he was engaged. I desire now to turn to the extraordinary conclusion to which the hon. gentleman arrived in both of his speeches. He was good enough to state on the former occasion, and he repeated the statement to-night, that the fact that after a harvest of unusual excellence the imports of the country had diminished by a considerable amount was conclusive proof that during the preceding half year, nothing had been anticipated. To my humble comprehension if anything could prove more clearly than another that a certain considerable portion of the receipts for the year ending June 30th, 1874, had been in anticipation of what might reasonably be expected to come in at the end of the half year, it was that circumstance. Surely the hon. gentleman will see that no better proof could be produced of the perfect correctness of my argument than the fact that under circumstances which in the ordinary condition of things would have warranted a considerable increase of imports, they had actually diminished. Every mercantile man will see that this is the very clearest proof that I was correct in stating a considerable amount had been anticipated. Now, sir, I desire to deal with another statement made on that occasion by my hon. friend who, I am willing to believe, made it under a misapprehension. The hon. gentleman stated that I had declared that a deficit of $1,250,000 would occur on the transactions of 1874 in respect to railways. What I stated, as he could have seen by reference to my speech, was that according to the estimates laid before the House, there would be a deficit of $1,250,000 between my estimated receipts and estimated expenditures. The estimated receipts were $1,600,000; the estimated expenditures, $2,867,000, being a difference of one and a quarter millions. In that was included $200,000 for the Prince Edward Island Railway and $250,000 for the working of the Intercolonial Railway, being $450,000 additional to the expenditure which we expected to be incurred for that current year. I merely said that the estimate made by Mr. TILLEY of $2,250,000 for receipts from public works was likely to be very much in excess of the actual figures—I think I said the amount would be $600,000. The actual fact was that we received only $1,500,000 in place of the estimated $2,250,000. It would, perhaps, be idle for me to go through the speech of my hon. friend and refer to all his statements. He says I criticized the tariff policy of Sir FRANCIS HINCKS and directed my severest strictures to it, I did not criticize his tariff policy. With that I had nothing to do, but I did criticize his financial policy. The hon. member for Cumberland was also good enough to say that the price of consols at the time a loan is negotiated has nothing to do with the goodness or badness of the terms obtained. I do not know that a statement showing more utter ignorance of the English market was ever promulgated in the Canadian House of Commons or any other Legislature. The price of consols varies very much, and that is a very good reason for choosing our own time for entering the market. But every one—except, perhaps, my hon. friend—knows that the price of consols is a very true barometer of the price of money in the English market at the time. With respect to the New Zealand loan, to which the hon. gentleman has alluded, I may say that it was not a fair standard of comparison for two reasons. In the first place, the colony did not obtain £98 for them; and, in the second place, it was a much smaller loan than I negotiated. I might add, in the third place, as a matter of fact, that it was a little dearer (though not much) than a four per cent. loan at 90 would be. But now I come to a statement made by my hon. friend which I confess I deeply regret, because the hon.

gentleman fills the high position of financial leader of the Opposition. The hon. gentleman's statement was that a four per cent. loan at 90, having thirty years to run, was worse by $2,500,000 than a five cent. loan negotiated at 107, and having likewise thirty years to run. That statement was repeated again and again, and which he has had the temerity to repeat to-night. I am quite prepared to go into this calculation with him by means of logarithms, decimals, algebra, differential calculus, or any other way he pleases, though I do not propose to inflict it on the House to-night, but I think I can explain in a very few moments, not to the hon. member for Cumberland—I do not presume to explain to him—but to the House that his statement is positively grossly in defiance of the simplest facts by which any loan can be computed. Now, suppose my hon. friend borrowed £107 at five per cent., giving his bond, payable in thirty years for £100. Supposing I, on the other hand, borrowed £107, and gave my bond for £118 17s, payable at the end of thirty years. Every one can see that £118 17s is precisely the amount of premium which would represent £107 at the rate of ten per cent. discount. Now, in the one case the hon. gentleman would pay £5 and in the other case I would pay £4 15s. I would gain five shillings per annum during the thirty years, and on the other hand, at the expiration of that time, I would have to repay £18 17s, and that 5s per annum would amount at compound interest at the expiration of thirty years to precisely £16 12s. 6d. The difference between a five per cent. loan at 107 and a four per cent. loan at 90 is precisely eight pence per centum per annum on the £100. In other words, if I were to turn that into an annuity and capitalize it, I would show that my hon. friend is astray in his calculation to the extent of about $2,400,000 out of $2,500,000. I very much regret that a gentleman who seems to believe that his word should be attentively listened to in Lombard street, and whose friends have insinuated that but for him the credit of Canada would have run down, should have made such extraordinary statements to be sent across the Atlantic, there to astonish the minds of all English actuaries and of every one who believes that the ordinary computations on which loans are calculated in the English market are worthy of some respect. I say it is a matter of grave regret that a gentleman so profoundly ignorant of the ordinary principles of arithmetic as my hon. friend should take upon himself to criticise a matter like that. If he wants to know what the loan is worth, I will tell him. It is worth a little more than a five per cent. loan, negotiated at 106. Upon the correctness of that statement I will place my reputation on financial matters, which the hon. gentleman will find quite as likely to be accepted as his after the exhibition he has chosen to make of himself. The hon. gentleman was pleased to state that I characterised a certain number of persons as lunatics for having engaged in an insane project for building the Pacific Railway. I did not say it would be an insane project for them, but an insane project for the country, as the country would have discovered if they had been entrusted with that enterprise. Now, with respect to Mr. BRYDGES, I will leave him in the hands of my hon. friend the Minister of Public Works. I simply say that at any rate the members of the late Government cannot complain if Mr. BRYDGES, their trusted Intercolonial Commissioner, has sent in a report with respect to their administration of the railway. They were always glad to avail themselves of his services, and I am bound to say they did so rightly. The report he has submitted shows that he was a gentleman capable of discharging with the utmost fidelity the very difficult functions which were assigned to him. Now, there is but one other point that I shall notice at this late hour, and it is this, The hon. gentleman was pleased to state that I had admitted his conclusion that only some $540,000 was received from customs under the new tariff. I stated in my speech most explicitly, and I do not retract that statement now, that in my judgment some two million dollars were due to the operation, direct or indirect, of the new tariff.

Hon. Mr. TUPPER—The hon. gentleman entirely misapprehends me. I stated that I credited to the new taxes received during the two and a half months at the end of the year, $546,000, and you admittted the correctness of that statement, or, at all events, you did not state that was incorrect. And I ask you now to state whether any more than $546,000

were received—not discounted—from the new taxes during that period, because you must know to a dollar what was received. What was the amount received from the new taxes in the Internal Revenue and Customs Department during those two and a half months?

Hon. Mr. CARTWRIGHT—What I stated was that the sum of two millions was due to the direct and indirect effect of the new tariff; to the effect of the new taxes upon customs and excise considerably more than $600,000 was due; and a very much larger sum was due to what was borrowed from the succeeding year. As to what particular amount was paid in on the 14th April, that has not very much to do with the argument then or now, which was that the revenue would have very little exceeded the twenty-two millions estimated by Mr. TILLEY, with the addition of Prince Edward Island, had it not been for the effect of the new tariff, which, as I showed then, and am prepared to show in fuller detail at any time, poured into the treasury at least two million dollars. The other points of difference between us are whether I was right or wrong in refusing to charge the premium on a loan to annual expenditure, and whether I was right or wrong in charging items to income which he thinks should be charged to capital. The arguments on both sides have been fully set before the country, and by its verdict we are prepared to abide. I think that verdict has been tolerably well expressed both in this House and out of it. It is certainly one of the strangest charges ever made against a Minister of Finance that he refused to allow capital account to be improperly swollen by items which should be charged to income. I will take all the responsibility of such a course, and I hope at the end of our tenure of office charges, such as these, will be the only ones that my hon. friend can bring against us.

Mr. PLUMB said he had made a calculation which he would submit to the House. The hon. Finance Minister's four per cent. loan netted 88½ or $17,700,000. Thirty years' interest at four per cent. would amount to $24,000,000, which added to the principal, $20,000,000, made a total of $44,000,000. Now, a five per cent. loan at 107, would net, say, $17,700.000. Thirty years' interest, at five per cent., would amount to $24,825,000, which added to the principal, $16,550,000, would make a total of $41,375,000, leaving a difference in favor of the five per cent. loan at 107, of $2,625,000. That calculation was as correct in its way as the calculation of the Minister of Finance. He would not say that a four per cent. loan at 88½, was not a good one; but he did say that the hon. Finance Minister was not entitled to any special credit for negotiating it.

Hon. Mr. CARTWRIGHT—I would just point out to the House that any calculation of simple interest for 30 years is not worth the paper it is written on. The calculation is one which is quite worthy the hon. member for Niagara.

Hon. Mr. MACKENZIE—I do not propose at this late hour to go into any exhaustive criticism of the speech of the hon. gentleman opposite—a speech that I must say was not worthy of him or his position in this House. He chose to attack an employee of the Government with a violence and a virulence quite unprecedented even with the hon. gentleman. He has endeavored to show that Mr. BRYDGES and myself and the gentlemen associated with me in the administration were long bitterly hostile to each other. He was pleased to say that we had loaded him with every term of opprobrium that could be thought of, that we questioned his integrity, his political opinions and his management of public affairs; and he was pleased to refer to a motion made by me in reference to the Intercolonial Railway. Now, I ask the hon. gentleman to read that motion. He will not find one word reflecting on Mr. BRYDGES. That motion was simply a statement of facts. It reflected on no person. It was simply a statement of figures laid down by the engineers, and the hon. gentleman and his colleagues were the men who were responsible for the over payment in that case, and not Mr. BRYDGES. And yet now the hon. gentleman turns round and casts the blame for his own action upon the man he had employed. A more unfair, more ungenerous, I would say a more scandalous attack was never made upon any man than that made to-night upon Mr. BRYDGES by the hon. gentleman opposite. Now, I may tell the hon. gentleman that I never had any difference, personal or political, with Mr. BRYDGES. I have had the honor

of his friendship since I knew him, and I never had the slightest personal or political difficulty with him. I knew him first as manager of the Great Western Railway, and I always admired his ability. I admire it now as much as I ever did, and the mere fact that a newspaper correspondence might be carried on hostile to that gentleman cannot be cited as evidence that I or those acting with me ever entertained any opinion of him which would cause us to hesitate to employ him in the public service. But we did not employ Mr. BRYDGES. We found him there when we went into office, and we continued him in the position he was in, and I have no hesitation in saying that but for his ability as chairman of the Intercolonial Railway Commissioners, that work would not have been managed even as well as it was.

Hon. Mr. TUPPER—He was not chairman.

Hon. Mr. MACKENZIE—It is quite true he was not nominally the chairman. Another gentleman of whom I will not speak in his absence as the hon. gentleman has spoken of Mr. BRYDGES in his absence—and he would not have dared to speak so of him except under the shelter of the House—I shall not follow his example, and will, therefore, not say one word of the gentleman who was chairman of the commission; but we all know who was the real managing chairman.

Hon. Mr. TUPPER—He was responsible for the payment of $44,000 on No. 5, according to the hon. Premier.

Hon. Mr. MACKENZIE—I hold the gentlemen opposite responsible for that.

Hon. Mr. TUPPER—Mr. BRYDGES took the entire responsibility upon himself before the committee.

Hon. Mr. MACKENZIE—I defy the hon. gentleman to show that I held Mr. BRYDGES responsible for that matter. I invite any person to read the motion I made. I made quotations of all the entries made by the engineer of the value of the work done, and my motion was simply a logical and necessary deduction that the hon. gentleman opposite did not venture to dispute, and Mr. BRYDGES is never mentioned in the motion at all.

Hon. Mr. TUPPER—Who paid the money?

Hon. Mr. MACKENZIE—The hon. gentleman and his colleagues paid the money.

Hon. Mr. TUPPER—Not a dollar of it.

Hon. Mr. MACKENZIE—Mr. BRYDGES had no authority to pay a single dollar till it passed the Privy Council. The hon. gentleman knows that no payment was made till it was sanctioned by the Privy Council, and yet he would endeavor to throw all the odium of over-paying contracts upon Mr. BRYDGES.

Hon. Mr. TUPPER—No odium at all; it was right.

Hon. Mr. MACKENZIE—It is not my business to defend Mr. BRYDGES; he is able to defend himself. But look at the manner in which the hon. gentleman attacked him. He says if Mr. BRYDGES would remove the seal of secrecy from a certain letter he would be able to prove certain things, and then he went on to state what the letter would prove. He speaks of removing the seal of secrecy and then goes on to disclose the contents of the letter. I appeal to the House to say whether that is generous or fair treatment of any person. There was a vein of unfairness all through the hon. gentleman's remarks. The report of Mr. BRYDGES, he says, was made in his own interest, because he was an applicant for office, that he set to work to undermine the former Superintendent.

Hon. Mr. TUPPER—Hear, hear!

Hon. Mr. MACKENZIE—The hon. gentleman is not ashamed to cry "hear, hear!" but I tell him that such imputation of motives will not commend itself to the good sense of this House or this country. Strong language may be used by any person, but it ought never to be used under the shelter of the House of Commons in reference to a man who cannot be present to answer it. Now, I tell the hon. gentleman, and the House, that Mr. BRYDGES was never an applicant for that office. He told me from the first that he never would take the office, and he recommended two or three other gentlemen to me to fill that position after Mr. CARVELL had sent in his resignation, and he has only taken charge of the road provisionally till we are able to obtain the services of a Superintendent in the place of Mr. CARVELL. And yet the hon. gentleman insinuates that Mr. BRYDGES set to work to undermine Mr. CARVELL in order to get his

place. A more unfair attack I can hardly imagine. Why does he attack Mr. BRYDGES so vehemently? Why does he feel so intensely interested in this report? He says he is not to blame for all that is spoken of in that report. I do not say he is, but why does he show this excessive partizanship, this utter want of any judicial spirit which every member of the House is supposed to possess in discussing public documents, and especially in discussing the report of a public servant who cannot be here to defend himself. The hon. gentleman all through his speech has acted in the spirit of an advocate pleading the case of a person who might be prosecuting Mr. BRYDGES for libel or some other offence.

Hon. Mr. TUPPER—I am not prosecuting him.

Hon. Mr. MACKENZIE—The hon. gentleman has endeavored, with the ingenuity of an advocate and the intense hatred of a personal enemy, to insinuate everything he thought would militate against the character of Mr. BRYDGES. After making all the charges he could conceive against Mr. BRYDGES in connection with this report he says, "Of Fraser, Reynolds & Co.'s accounts I shall say nothing, because they are under examination." It is quite right, according to the hon. gentleman, to mention everything that might tell against Mr. BRYDGES, but it is altogether wrong to say a word that tells in his favour. There is another little matter, Sir, that the hon. gentleman must be aware of already. It will be observed in Mr. BRYDGES' report he calls attention to the extraordinary circumstance that Mr. CARVELL, in the months of December, 1873, and January, 1874, ordered 3,750 tons of steel rails from England without any communication with the Department, and without any authority whatever. I look upon that as one of the most serious allegations against that officer. But then it would not be fair to discuss these matters, for they are before a Committee of Investigation. Now, Sir, there is still another purchase, in regard to which the company refused to tell us at what price they actually sold, and I am taking legal proceedings to compel them to do so. I do not say where this money went. I do not know where it went or how it went, and therefore I make no charge; but Mr. BRYDGES very clearly shows in dealing with the subject that the country lost in this transaction somewhere between £9,000 and £10,000 sterling, and yet the hon. gentleman refuses to give him credit for it. Now, Sir, we find that Mr. BRYDGES develops another transaction in reference to this firm at Halifax. He says the Government had to pay at the rate at $2\frac{1}{4}$ cents per pound for steel springs; and we find from the correspondence in the office in relation to this matter that Mr. SADLER, who was the store-keeper, in the first instance refused to certify to these. Mr. CARVELL was in Halifax sometime afterwards, and made representations to this firm as to the price. They told him in reply that if he would prefer it they would make out an account and charge a regular commission, He did prefer it, and we find that while the real invoice price of these springs was £429 sterling and some odds, in order to make up the sum they had already charged they put it down at £852 sterling some odds, and, Sir, by a most extraordinary process, they manage, between one charge and another, to make up the exact amount of their first account, which was charged at so much per pound. It would have puzzled even the member for Niagara, with all his ability in calculations, to make up a statement so that it would reach the exact fraction. I do not intend to discuss this report or Mr. BRYDGES' position. As to Mr. CARVEL, I know nothing whatever to his prejudice, further than his mismanagement. What the enquiry may develop I cannot tell. I have always had great respect for him personally, and I always found him very pleasant to do business with; but after the admissions he has made in his own report, and the fact that he never made his position known to me, but purchased so extensively without consulting the Department—so extensively, indeed, that no member of the Government would have dared to do it, without an Order in Council —I felt it was neither desirable nor possible in the public interest that he should remain in his position. That was my sole ground of reference to him, and as he is not here, and cannot defend himself, I shall say nothing regarding him with which it would be possible to find fault. The hon. gentleman says that, notwithstanding all Mr. BRYDGES' representations, political influence cannot have done so much injury to the road after

all, because all these men, however incapable, were continued in the employment of the Government. If there is anything I abhor, it is the dismissal of a public servant without good cause having been shown, and I felt that it would neither be just nor generous to remove any of them until we had proof of their incapacity or something worse. I gave orders to remove one or two of them, because I found that their incapacity and inefficiency were so thoroughly established, that it was impossible they could be retained; but my direct instructions to Mr. BRYDGES—and he quite agreed with me—were that there should be no persons taken from a distance to do the work, if men were to be found on the road capable of the duties. The hon. member for Cumberland, with that remarkable tendency to exaggeration which characterises him, says Mr. BRYDGES alluded to Mr. WHITNEY with every term of opprobrium the English language could furnish.

Hon. Mr. TUPPER—Yes, and I gave the evidence.

Hon. Mr. MACKENZIE—Now, Sir, I am confident the hon. gentleman knows that this statement is not correct—that Mr. BRYDGES did not use every term of opprobrium the English language furnishes. For instance, he did not say that Mr. WHITNEY was a follower of the hon. member for Cumberland. I shall read the whole passage, and I think when I have done so I can appeal to the House, yes, I can appeal to my hon. friend himself, if he did not needlessly and absurdly exaggerate the passage. I venture here to read him a little lesson, and to assure him that if he persists in exaggerating with regard to these trivial matters people will make allowances for extravagances in greater matters, and they will boil down his speeches until the *residuum* left will scarcely be worth looking after. Here is what Mr. BRYDGES says of Mr. WHITNEY: —"I am bound to say that, having very carefully considered the question of the organization of the mechanical department at present, I consider it to be both expensive and inefficient. The mechanical superintendent, Mr. WHITNEY, although at the head of the entire establishment, has apparently but very little, if any, control over what is going on at Richmond and other places. There are practically two superintendents at work, each acting independently, and spending, therefore, in the aggregate very much more money than ought to be spent. I do not consider that Mr. WHITNEY has the necessary experience or force of character for the position which he fills. He is not a mechanic; has never gone through the shops, in the proper sense of the word; and is, in fact, learning his business at the expense of the railway. Nor does he appear to me to have the necessary qualifications for a superintendent, and I am satisfied that a different class of man, brought up to the business, and having regularly served his time, both in the drawing office and in the shops, who had filled the position of locomotive foreman, would make large reforms in the department, have the work better executed, and at a considerable saving of expense."

Now, Sir, is there a single term of opprobrium in all this? For my own part, I see nothing in it but the fairest of criticism.

Hon. Mr. TUPPER—I cannot understand anything disparaging to the occupant of a position such as Mr. WHITNEY'S that has not been mentioned.

Hon. Mr. MACKENZIE—But my hon. friend cannot surely assert that this would bear out his assertion that every term of opprobrium in the English language was made use of. It is nothing more than a fair criticism of the gentleman's ability to fill the position. I do not propose to-night to discuss several of the matters into which the hon. gentleman has entered. He rarely alludes to anything affecting the financial relations of the Government to any undertaking without endeavoring to inflame sectional feelings and prejudices. I shall not follow his example, but if he desires a discussion upon that point, we can have it. I may mention that during the last six months, the increase in receipts for traffic on the Intercolonial Railway was $21,346, and the decrease in expenses for the corresponding period was $72,348.30. The costs of renewals amounted to $278,466.29 as against $277,619.48 last year, being an increase of $846.81. At the same time the train mileage was 536,824 miles, and for the corresponding six months of 1873, it was 571.224 or a decrease of 34,400. The car mileage for the two periods was 3,786,696, and 3.591,482 respectively, being an increase in favor of 1874 of

195,214. The result of these figures is to show that a larger traffic has been carried by a smaller number of train miles for the six months ending 31st Dec., 1874, than for the corresponding period of 1873. On the single item of fuel there has been a saving for 1874 of $18,311.35. I think, sir, that this exhibit does not show that the road has not been so badly managed after all. In regard to the tariff I have merely to say that it is in the hands of every member of this House, and is lower than any other railway tariff on the continent of America. I do not say that it is perfect, and if any hon. gentleman could show that it was not lower than on competing roads, or lower than it could be carried by water to similar destinations, I have no objection whatever to have it revised in such a way as to fairly meet the exigencies of the case. But if the hon. gentleman from Cumberland ventures to say to that the tariff is higher than upon other roads, I simply challenge a comparison.

Hon. Mr. TUPPER—It is higher.

Hon. Mr. MACKENZIE—The hon. gentleman knows that it is not, and with all his capacity for misunderstanding and misconstruing figures, which I admit is extensive, it will defy him to prove the contrary. I may further say that representations were made to Mr. BRYDGES that it was quite impossible for Mr. McNAB to work the road properly if he did not have the control of his assistants. The hon. gentleman said that Mr. BRYDGES would not allow Mr. FLEMING to employ an engineer without his permission.

Hon. Mr. TUPPER—I said that he insisted on the Commissioners employing the engineers.

Hon. M. MACKENZIE — He referred to the necessity of having power to discharge trackmen, when they misdirected their efforts. He has absolute control over them now, and the result has been a great saving. As long as trackmen knew they were independent of the engineer, and that political influences were sufficient to sustain them in their places, so long would they manage the road precisely as they pleased. Mr. CARVELL says :—"The difficulties at St. John station arose out of, and are altogether due to political influences, and the natural dislike of men in charge to be brought into conflict with members of Parliament, when they feel that the sympathy of those in authority is pretty sure to be favorable to the supporters of the Ministry."

Such was his position. But as I told him I was quite surprised he had not made known to me that state of affairs. He adds :—"Because Mr. PICK, the Freight Agent, was believed to hold a high position in a society supposed to have great political influence, his assistance was sought, naturally enough, by all parties seeking Parliamentary honors."

Such was the state of affairs when Mr. BRYDGES went there. I have simply to say in conclusion, as I stated before, that Mr. BRYDGES never was an applicant for, and never would have accepted the position of Superintendent of the Intercolonial Railway. It was never intended he should be so employed. The Government simply retained him in the same position in which the hon. gentleman and his friends left him.

Hon. Mr. TUPPER—That is impossible, for the hon. gentleman (Mr. MACKENZIE) legislated all the Commissioners out of office.

Hon. Mr. MACKENZIE—The hon. gentleman must not try to push me aside on a technicality. The difference is that I did with one man what the hon. gentleman and his colleagues employed three to do. The difference, however, is a material one, as the country will testify. Acting in this capacity, he was the best man the Government could have got to thoroughly investigate the affairs of this railway, and he overhauled the whole system from Halifax to St. John. That it is now in a better condition than when he opened that investigation, there can be no doubt, and it will be the business of this administration to conduct it for the future in as just, and correct, and fair a manner as possible. One word more about the relation of the Government to the public service. Sir, in this very investigation that the hon. member has alluded to, we had two prominent witnesses on the witness stand, Mr. SANDFORD FLEMING and Mr. BRYDGES; and the only thing, I ever said, that would in the slightest degree reflect on Mr. BRYDGES, was my checking Mr. BRYDGES when he was giving his opinions on outside matters, instead of giving evidence. But I had reason to find fault in my character as a member of this House with the way in which evidence was given

by Mr. SANDFORD FLEMING. But, sir, I did not doubt Mr. SANDFORD FLEMING'S perfect integrity, and Mr. FLEMING continues to occupy the highest engineering position under the Government. I do not claim that I was absolutely right in everything I have done in that or any other investigation; but I do say this:—when there is a change of administration, new ministers ought to give every public servant in the departments their confidence and their support, and enable them to carry on the work of the department with that efficiency that should characterize every officer; and no Minister is justified in removing a public servant, especially one who has performed a large amount of service and occupied a high position in the department, unless he has satisfied himself that the public interest absolutely demands such removal. Sir, I have endeavored to carry out that doctrine, as have also my colleagues, and in administering the affairs of my own office, I think I have endeavored to give every officer, whether I have always agreed with him politically or his mode of management, fair play and nothing more. Mr. BRYDGES has been treated precisely like other high officers of my department. He has received my confidence as they have received my confidence, and I have no reason to doubt that he has rendered the best possible service to the State, notwithstanding all the hon. member for Cumberland has been pleased to say to-night, in a tone and manner as improper as, I think, they were offensive.

Hon. Mr. MITCHELL said the hon. First Minister had introduced into the debate some matters which were being considered by a Committee of the House, and which hon. members were not able to discuss with the same advantage as that hon. gentleman, because they did not possess the same information as himself. As to the sale of iron by Messrs. HAWS & Co., he would content himself with quoting from the reply made by Mr. CARVELL to Mr. BRYDGES' report. Mr. CARVELL says, in relation to these transactions:—

In the first place, let me correct an error in Mr. BRYDGES' figures.

The rails for 1873 were purchased at £16 12s. and £17, not £16 12s. and £17 10s. per ton.

In July, 1872, I directed Messrs. HAWS & Co. to procure and ship 500 tons of steel rails on account of the European and North American Railway (Shediac line).

This lot was arranged for early in the fall of that year, at £16 12s., although the lowest price at which the Mersey Steel and Iron Company at Liverpool, would then engage to deliver this quantity in the spring of the following year was *£19 sterling, net cash*, or £2 8s. higher per ton than HAWS & Co. purchased for, as will be seen by reference to the letter of the secretary of that company, dated 22nd August, 1872, a copy of which will hereinafter be found. These rails formed part of the shipment of the spring of 1873.

Just before my departure for England, in January, 1873, after a consultation with the engineer, I found that rails to renew twenty (20) miles of the line would be required as soon as possible. I took the order with me, and on my arrival at Liverpool, requested Messrs. HAWS & Co., who had always done the railway business in England satisfactorily, to see upon what terms they could secure 2,000 tons of the best description of these rails, for early spring shipment.

They accordingly sent to me in London an offer of £17 free on board at Liverpool, and as I found, after making personal enquiry, that this offer was better than could be done elsewhere, I directed them to accept it, upon the understanding that the rails should be shipped early.

At this time it must be borne in mind that the iron market was in a most anomalous state, strikes were raging throughout the whole of England, and makers were not disposed to undertake any more contracts.

At the time this purchase was made rails were being booked for 1874 at prices varying from £17 10s. as high as £19, and from January to July, 1873, the prices of steel rails ranged from £16 10s. to £18 sterling, the latter price being freely paid for such first-class brands as that received.

In confirmation of this I beg to refer you to a copy of a letter from Mr. JAMES SIMPSON, Liverpool, which will hereafter appear in this report, together with a copy of a letter from the Hœmatite Iron and Steel Company (Limited) of Barrow, dated the 13th February, 1873, by which it will be seen that they could not "entertain any further orders for steel rails for delivery this year."

Mr. BRYDGES, in his report, says:—"The highest price paid for rails by the Grand Trunk Railway at this time was £16 per ton."

I understood from Mr. BRYDGES that this was for a purchase of *six thousand* (6,000) tons by the Grand Trunk Railway (f. o. b.) at Barrow, from the house which on the 13th February, 1873, refused to "entertain any further orders for steel rails" for that year.

The question may now fairly be asked when did the Grand Trunk Company make *their* contract?

The letter from the Barrow Company which I have quoted, distinctly shows that it must have been *before* we went into the market, and that the Grand Trunk Railway rails were *not* "bought at the same time."

Mr. BRYDGES, when manager of the Grand Trunk Company, doubtless gave this Barrow firm extensive orders from time to time, and being so good a customer, he was naturally in a position to get better terms than smaller buyers.

It must also be borne in mind that I ordered only two thousand (2,000) tons of a *special section*, at a time when houses were filled with orders and at a late season of the year for early delivery,

The freights paid were the prevailing rates in Liverpool at the time they were shipped.

Respecting the rails for 1874, seventeen hundred and sixty tons were purchased in December last at £15 10s. for shipment to St. John, and seventeen hundred and sixty tons in January, 1874, for shipment to Halifax, at £15 15s per ton, and I have every reason to believe that the same prudence and care were exercised in this purchase as in the case of those aaranged for by Messrs. HAWS & Co., in 1872 and 1873.

Then Mr. CARVELL goes on to show what the terms in the printed circulars were during the months of December 1873, and January 1874, for rails. He says the terms were as follows:—

December 1st, 1873....	£16 00 to	£18 00
" 4th, "	16 00 to	17 00
January 2nd, 1874.....	16 10 to	17 00
" 22d, "	16 00	
" 29th, "	16 00	

Mr. CARVELL proceeds:—

These figures will, I think, show that the rails purchased by Messrs. HAWS & Co. for this railway in December last at £15 10s., and in January at £15 15s., free on board, were *below* the current market rates.

It must also be borne in mind that these rails were all of a *special section and of first-class brands.*

When the question of the purchase of these rails first came up, on the occasion of the first visit of Mr. BRYDGES, I at once wrote to Messrs. HAWS & Co., under date 13th June, and received from them a reply dated 30th June last.

The following is a copy of that correspondence, with letters from Mr. JAMES SIMPSON, The Mersey Steel and Iron Company (Limited), the Secretary of the Hæmatite Iron and Steel Company, Barrow; and also from Messrs. SANDERS Bros., Liverpool.

MR. CARVELL TO MESSRS. HAWS & CO.

"MONCTON, 13th June, 1874.

"DEAR SIRS,

"Mr. C. J. BRYDGES, who has been "here during the past two weeks, under "the authority of the Canadian Govern- "ment, making a thorough enquiry into "everything pertaining to the Intercolon- "ial Railway, has said to me that we have "paid both last year and this much higher "rates for our steel rails, fish plates, bolts "and nuts, than they could have been pro- "cured for.

"He says that the Grand Trunk in "1873, (I presume the beginning of the "year), bought 6,000 tons, f. o. b., at Bar- "row, at £16 sterling, and that the freight "and insurance to Montreal cost 28s. per "ton; that fish plates cost them £12 10s. "sterling, and bolts and nuts £24.

"He further states that in January of "this year, he bought from the same peo- "ple for the Intercolonial Railway Com- "missioners at £15 10s. sterling, deliv- "ered at St. John, N. B.

"These statements in view of the prices "arranged for by you, surprise me very "much. What have you to say in reply?

"When giving you the order for these "rails, I supposed you would be able to "get them upon terms as favorable as any "others. It is not pleasant now to know "that we might have done so much bet- "ter.

"Be good enough to reply to this letter "by return mail in order that I may be in "a position to reply to enquiries which "will be made in regard to this subject.

(Signed) L. CARVELL."

Mr. MITCHELL (continuing) said he hoped the House would also allow him to read the following documents :—

MESSRS. HAWS & Co. TO MR. CARVELL.

"42 SOUTH JOHN STREET,

"Liverpool, 30th June, 1874.

"SIR,

"Your letter of the 13th instant is "to hand, and the contents have caused us "grievous disappointment, as we at all "times, before closing the orders of our "esteemed correspondents, make enquiries "of several parties in the trade, as to the "prices of the articles required, and we "invariably give the order to those who "can fill it at the lowest rate, having of "course regard to the quality of article "required.

"This course we adopted with all your "orders, and we are still confident that we "have obtained all your goods at the "lowest rates prevalent at the time we "purchased them.

"We enclose circulars which will show "you the rates ruling at the time we pur-"chased, also letters from Mr. JAMES "SIMPSON and Messrs. SANDERS Bros. "relative thereto. We respectfully beg "to remind you that at the time we "received your esteemed order for 2,000 "tons of steel rails for early delivery in "the spring and summer of 1873, the "trade of the country was in a very "anomalous state, owing to the strikes "raging both in the coal and iron trade, "and that it was next to impossible to "obtain quotations for early delivery as "required by you ; you will also please "remember that before accepting the offer "of this lot at £17 per ton, we submitted "the offer to you, and that you accepted "it, as you will find on reference to your "letter, dated in London, 25th February, "1873.

"As regards the order for this year "which is now in course of shipment, we "beg to say we followed our usual course, "and that the price quoted by Messrs. "SANDERS Bros. was the lowest offer we "could obtain, and as you will see by the "circulars sent herewith, the price is below "the rate quoted in the market. We "acknowledge that prices have since "fallen below the figure at which we "purchased, but we could not foresee this, "and in fact, the indications then were "that prices had touched their lowest, and "any change that should take place would "be upwards, and this was shown from "the fact that we could not place the lot "for Halifax on quite as advantageous "terms as the St. John lot.

"We feel it due to ourselves thus to "enter fully into the matter, as we are "conscious of having done our best to "obtain the rails at the lowest possible "price ruling in the market for a good "article at the time we purchased. We "also beg to call your attention to the "fact, that you impressed upon us the "importance that the rails should be "shipped early, and consequently we "could not hold off any longer, if we were "to have them ready at the time first "named by you.

"The makers of the 500 ton lot in 1873 "was the EBBW VALE ; and of the 2,000 "tons, GUEST ; and those of this year are "made by the MERSEY STEEL, and Messrs. "BOLCKOW, VAUGHAN & Co.

"(Signed),

"JOHN HAWS & CO."

MR. JAMES SIMPSON TO MESSRS. J. HAWS & Co.

"10 Rumford Place,

"LIVERPOOL, 26th June, 1874.

"GENTLEMEN,

"Referring to the complaints which you "have received respecting the price of "the rails (steel) sold you last "year—I think if your friends had been "here during the early part of 1873, at "the time the purchase was made, they "would have been convinced that not only "was the price a very reasonable one, but "they would also have discovered that "makers were then so full of orders, both "for early and forward delivery, that com-"paratively few were in a position to book "additional contracts. I have several "letters, received from different makers "during the period referred to, saying "that they were fully sold for the entire "year, and orders were even then being "entered for 1874, at prices varying from

"£17 10s. as high as £19. It is also to "be borne in mind that the market was "advancing during the early part of 1873; "and the purchase to which you refer— "of 6,000 tons at £16 f.o.b. at Barrow— "must have been made early, the large "quantity being also a consideration to the "seller.

"I enclose you a letter from the Barrow "Hæmatite Company, dated 13th Feb- "ruary, 1873, from which you will see "that they were then full orders for the "entire year.

"From January to July the range of "prices of steel rails was £16 10s. to "£18, the latter price being freely paid "for such first class brands as that you "received, namely, GUEST'S. I cannot, "therefore, see what grounds of complaint "there can be at the price of £17 under "the circumstances; nor do I think I could "have supplied them so cheap, had I not "managed to get them delivered on account "of an existing contract."

(Signed) JAMES SIMPSON.

HÆMATITE IRON AND STEEL WORKS, TO J. SIMPSON, ESQ.

"HÆMATITE IRON AND STEEL WORKS,
"BARROW-IN-FURNESS,
"13th February, 1873.

"DEAR SIR,—

"We thank you for your enquiry dated "yesterday, but cannot entertain any "further orders for steel rails for delivery "this year."

"(Signed) HENRY THOMAS,
Secretary.

MERSEY STEEL AND IRON COMPANY, TO J. W. TURLEY, ESQ., LIVERPOOL.

"DEAR SIR,—

"In reply to yours of the 21st, we "enclose section of steel rail, the nearest "we have to yours. If this will do our "price for 500 tons will be £19 per ton, "net cash, against B. of L., delivery in "spring of next year."

SANDERS BROS., TO JOHN HAWS & CO.

"32 AND 33 THE ALBANY,
"Liverpool, June 30, 1874.

"DEAR SIRS,—

"We have your favor of the 26th inst., "and cannot but express our surprise at "any such question being raised as you "have laid before us. The purchases you "made from us have, it is true, turned out "unfavorably, though, on the other hand, "had there been an advance instead of a "decline, your buyers would have con- "gratulated themselves that the market "had gone in their favor. The prices "paid at the time the contracts were made "were the current figures of the day, as a "reference to the circulars enclosed, which "are issued by the leading railway iron "brokers in this country, will readily "show.

"The course of a market subsequent to "the conclusion of a purchase is beyond "the control either of a buyer or seller, "and is a contingency the purchaser has "always to consider.

"Exceptionally unfavorable circumstan- "ces have developed themselves within "the last six months, causing a stagnation "of trade and depression of prices in iron, "such as no one could anticipate or guard "against in any way.

"In fact so uncertain was the future, "that many makers declined to contract "for forward deliveries at all—the prices "asked for all descriptions of raw mate- "rials being so extravagant that they pre- "ferred to wait until matters beeame more "settled before committing themselves to "actual sales.

"(Signed) SANDERS BROS."

Mr. CARVELL says :—

"I think this correspondence will show conclusively that the rails were at least purchased upon the best terms prevalent at the time.

I was in England, as I have already said, when the 2,000 tons (the major portion of the shipment of 1873) was bought, and can state that every reasonable effort was made to make an advantageous purchase, and although I was not present when the rails for 1874 were contracted for, I had no reason to believe that any less care and attention were exercised than in the case of the former order."

Now such was the reply which Mr. CARVELL made to the statement of Mr. BRYDGES. He (Mr. MITCHELL) considered it most unfair to attack Mr. HAWS in his absence. Talk about attacking Mr. BRYDGES ! That gentleman was a public servant, acting under instructions from the Government, though what those

instructions were he was not going to say. The Government had not pursued that course which should be expected from an honorable administration. They attacked men who were absent and officers who had been removed, and were deprived of an opportunity to defend themselves. When they heard the explanation of Mr. HAWS, and learned what extra charges for freight and insurance he paid on the rails, it would be time enough to attack him. Freights, as every one knew, varied fifty, sixty and even seventy per cent. in a season. On the St. Lawrence, insurance rates could be had at one-half per cent. between Chicago and Liverpool; a few days before the close of navigation they could not be had for five per cent., yet, without explanations from Mr. HAWES, it was asserted that the profits on these rails had gone into his pockets. He (Mr. MITCHELL) was well aware what a clever man like Mr. BRYDGES, sent down to investigate everything connected with these roads, would report if his instructions were as unfair as the method adopted by the Government of attacking absent men. He could destroy the reputation of any man, no matter how pure and fair he might be. It would be a work of superorogation for him (Mr. MITCHELL) to follow all the gentlemen who had spoken in this debate, after the able and exhaustive speech of the hon. member for Cumberland. The course his hon. friend had pursued, with reference to the charges against Messrs. FRASER, REYNOLDS & Co., was the right one. The subject was under consideration in the Committee on Public Accounts, and though five of the seven gentlemen who were investigating the matter were supporters of the Government, he (Mr. MITCHELL) would await their report before attempting to refute or explain, as a member of the late Administration, the charges preferred. He was not going to constitute himself the champion of Mr. HAWS, or of Messrs. FRASER, REYNOLDS & Co., but he felt bound, as a member of the late Administration, to meet the charges against himself or his late colleagues in relation to their management of public affairs. The hon., the Premier had pronounced the conduct of the hon. member for Cumberland as scandalous, yet he (Mr. MACKENZIE) did not hesitate to attack as honorable, upright and honest a man as any one in this House, who was now on the other side of the Atlantic.

Hon. Mr. MACKENZIE—I attacked no one.

Hon. Mr. MITCHELL—The hon. gentleman thinks it is no attack to read papers in this House which no one but himself possesses.

Hon. Mr. MACKENZIE said he simply stated the price which this Government had paid for iron, delivered free on board the vessel on the coast of England, and the price which they had every reason to believe on investigation was really paid to the manufacturers of the rails. He (Mr. MACKENZIE) stated explicitly that he did not know where the money was lost, but he did know that the Government lost between nine and ten thousand pounds somewhere.

Hon. Mr. MITCHELL said this explanation was some modification of the inference conveyed by the first statement, but there was nothing in it to warrant him in saying that it was not unjustifiable for any one occupying the high position of the Premier to attack the private reputations of public officers and imply against them mismanagement and misconduct. The hon., the Premier asked, "Is it not scandalous to attack Mr. BRYDGES?" Was the name of Mr. BRYDGES so sacred that men must stand aghast when it was uttered in this House? Mr. BRYDGES had placed nimself in the position of a paid employee of the Government, sent down to the Lower Provinces to report in a most unfair way as to the condition of the railroads, and attack the men who managed them. Any one reading the report would see that his object was to find fault where he could. It was unfair and did not do justice either to the working of the railways or the officers who managed them. It did not do justice to Mr. BRYDGES himself, who, as they all knew, was a man of great ability. The hon. Premier said he merely kept Mr. BRYDGES on. Now, what were the facts? Every one knew that the Legislation of this House swept away the old Commissioners. The Premier said "Did hon. gentlemen expect the road to build itself?" No, but they had a right to expect that the man who practically controlled the road and possessed the ability and experience requisite to its proper management, but whose neglect had

delayed its constructions from 1867 to the present time—and if report spoke truly it would not be completed for two years longer—should not be sent to report upon the public works of this country. Did the hon. Premier, when he boasted of Mr. BRYDGES, know that on some sections of the Intercolonial Railroad that gentleman had never set his foot? Yet the public reputation of Mr. BRYDGES was to be held sacred! But it was said he was absent. He was in the House all afternoon, and it was well known that this question was to be discussed after recess. If he was not present it was his own fault. He stood before the country like every other public official, and if his treatment of the Intercolonial Railway was unfair and unjust, he was not above criticism. The hon. Premier said "Who paid the money?" The over-payment of $64,000 was made by Mr. BRYDGES. True, the late Government were responsible for it, as the Government of the day were responsible for the conduct of Mr. BRYDGES. While the Commissioners were in office under the late Administration they (the Government) were bound to accept their conclusions. It was well known that in the administration of affairs in a country like this, it was utterly impossible for the Government to attend to every detail of the public service. When the railroad was placed under management of the ablest and most experienced men in the country, it was understood that they would give their attention to it. But the Government found before they knew where they were that an over-payment of $64,000 had been made, but they had to assume the responsibility of Mr. BRYDGES' conduct; yet this was the man who was sent down to the Lower Provinces to revolutionize the management of the railways there. With reference to the charge of entering goods free of duty, could hon. gentlemen opposite say they had never entered goods for a railway, free of duty?

Hon. Mr. MACKENZIE—I say at once that I never heard of such a thing being done.

Hon. Mr. BURPEE—I suppose the hon. gentleman refers to me. The goods mentioned were imported for the railway in the fall of 1873. They were ordered by the railway people through the firm with which I am connected, but they were taken from the vessel and entered by the railway people themselves.

Hon. Mr. MITCHELL—The hon. member admits that it was done once. I do not say he did anything wrong. I merely refer to it to show that when the charge is thrown across the House that political friends of the late Administration were allowed to enter goods free of duty; they should be careful that the same charge, like a boomerang, might not fall on themselves.

Hon. Mr. BURPEE—The goods were not ordered or imported in the usual way. It was a special order made by the railway people for goods that could not be got in St. John, and the order was sent by telegram by my brother. The case came directed to the railway people, who entered it themselves and took it from the vessel.

Hon. Mr. MITCHELL said: The hon. gentleman took great credit to himself for managing the Intercolonial Railway with one commissioner instead of four, but he failed to tell the House that the road has been in course of construction almost since 1867, and that it ought to have been finished three years ago. He was not going to shield the late Administration. They were responsible for the misconduct of Mr. BRYDGES and his associates; and their experience of the management of the road under Mr. BRYDGES, gave them very little confidence in his reports. Then the hon. gentleman had stated that Mr. FLEMING was still the highest engineer. Did he not know that he had appointed a gentleman (Mr. SCHREIBER) to examine the railway over Mr. FLEMING—a gentleman who took his instructions, not from Mr. FLEMING, but from the head of the Administration.

Hon. Mr. MACKENZIE—Why should he not?

Hon. Mr. MITCHELL said he was not objecting to that—he was simply replying to the statement of the hon. gentleman that Mr. FLEMING occupied the position of Chief Engineer.

Hon. Mr. MACKENZIE said he could not conceive what the hon. gentleman was driving at. He (Mr. MACKENZIE) had referred to Mr. FLEMING as a gentleman holding one of the highest positions in his department, and he still held that position, Mr. SCHREIBER was appointed by the gentleman opposite as the Chief Engineer upon these railways, and in order to enable Mr. FLEMING to devote all his attention to

the Pacific Railway, and by arrangement with that gentleman, Mr. SCHREIBER was appointed to the position subject to the ultimate decision on engineering matters of Mr. FLEMING. Mr. FLEMING was still Chief Engineer of the Intercolonial Railway, but the superintendence of everything except two large bridges devolves upon Mr. SCHREIBER.

Hon. Mr. MITCHELL proceeded to say that the hon. gentleman did not find Mr. SCHREIBER as Chief Engineer, but as a special engineer under Mr. FLEMING, and he (Mr. MACKENZIE) had placed him in complete control of the entire road with the exception of two bridges. It would not have suited the policy of Mr. BRYDGES that Mr. FLEMING should have remained in that position, for he might state that many of the troubles which the late Administration had in connection with this railway arose from the fact of a rivalry existing between Mr. BRYDGES and Mr. FLEMING. A constant struggle went on between them, and at one time it became so serious that it was almost necessary for the Government to consider which to dispense with in order to obtain harmony. They were embarrassed very frequently from the fact that Mr. BRYDGES would report directly in the teeth of the report of the Chief Engineer. The Premier had chosen to refer to the circumstance that the employees upon this road were appointed merely from political considerations. He (Mr. MITCHELL) was not prepared to say that political influence might not have entered into some of the appointments that were made. He did not believe an Administration could carry on the affairs of the country without recognizing political support. Did the present Government contend that they could appoint a man irrespective of the wishes of their supporters, or would any supporters of the hon. gentleman say so?

Mr. THOMPSON (Haldimand)—Yes.

Hon. Mr. MITCHELL said his hon. friend must be a solitary instance, for he did not believe that a single other member would take the same position. He would not deny the fact that political influence under the late Administration, as it did under the present, controlled very largely the appointment of public officers; but the late Administration never to his knowledge appointed a man to a position, the duties of which they did not consider he was perfectly competent to perform, and so far as the department over which he had control was concerned, he was free to admit that in making any appointments in any county he felt it his duty to consult the member for that county if he was a gentleman who had confidence in the Administration, rather than to consult those who were opposed to the Administration. Would hon. gentlemen opposite say that a different policy was pursued now? If they did say so they did not possess that candour which he gave them credit for. He ventured to say that the hon. member for Chateauguay in all the appointments which he had recommended under the present Administration had not gone beyond the ranks of his own party. It was futile for hon. gentlemen opposite to say that they acted upon a different policy; if they did they would soon become too unpopular to retain their places. It was all very well for them to pretend to a sentiment they did not feel for the purpose of crushing opponents who had pursued a course which they were frank enough to own and admit. The Premier had stated that he had not removed a public officer for political purposes. He would like to ask the Minister of Customs and the Minister of Marine and Fisheries what course had been pursued during the last two years of the late Administration. He would ask them if in the counties they represented they did not generally desire to get their own friends appointed. Did not the present Minister of Customs recommend this man PICK and was he not a special friend of the Minister of Customs, and did he not support the Administration that was assailed in Mr. BRYDGES' report? Did not the Minister of Customs use his influence to keep that man in office and was not that man a standing obstacle to Mr. CARVELL in the proper management of the railway at St. John. And yet they were to have it cast in their teeth that they had appointed officers for party purposes and not for their efficiency. Perhaps the hon. gentleman will find that some of these charges may come home to him. At this late hour he would not occupy any longer the attention of the House, but when the report of the committee was presented he might again take the opportunity of dealing with this whole question. He believed that that

Committee, though the majority were Government supporters, would do what was right, and when their report was presented the House would be better able to judge whether the charges brought against the late Administration and their friends were true or not. All he could say at present was that if they were true, the persons who were guilty of improper conduct must take the consequences.

Mr. MACDOUGALL (East Elgin) after referring to a remark of the last speaker of a personal character, proceeded to deny the accusation that the supporters of the present Administration were influenced in any way by the patronage which the Government might be able to place in their hands. He for one would never ask the Government to appoint any friend of his to office if he did not think the person was well fitted to discharge its duties. He asked no favors of the Government; he merely asked that they do their duty to the country, and so long as they did that he would support them, whether they appointed his friends to office or not. The supporters of the Government did not come here to levy blackmail on them, but to assist them in administering the affairs of the country. The hon. gentleman who had just sat down had admitted that the late Government could not exist without appointing political partizans to office, and he (Mr. MACDOUGALL) wanted no better evidence of the necessity there was for a change of Government at that time than the speech of the hon. gentleman.

Mr. DOMVILLE said the report of Mr. BRYDGES could only be viewed as the report of the Government, for he would not have made such a report, and could not have effected the arrangements, except with the consent of the Government. One or two points in the report had escaped the attention of the member for Cumberland. Mr. BRYDGES says:—

"I found also at St. John the mode of collecting the money due for the carriage of freight was not at all in a satisfactory position."

After going into details, he said:—

"There is a freight agent, Mr. PICK, who remains at the freight office, and who is responsible to Mr. COLEMAN for the proper carrying out of the work. How well that is done you will be able to understand from the description I have given you of what I found to be the facts."

Mr. CARVELL in answer to this said:—

"The difficulties at St. John station arose out of, and are altogether due to political influences, and the natural dislike of men in charge to be brought into conflict with members of Parliament, when they feel that the sympathy of those in authority is pretty sure to be favorable to the supporters of the Ministry.

"It is natural therefore, that men should desire, under such circumstances, to get along with as little contention as possible.

"The freight agent at St. John had charge of the freight department at that place, and in the performance of his duties was responsible to the station-master.

"Because Mr. PICK, the freight agent, was believed to hold a high position in a society supposed to have great political influence, his assistance was sought, naturally enough, by all parties seeking Parliamentary honors."

Hon. Mr. BURPEE said he had never asked either Mr. CARVELL or Mr. BRYDGES to keep any officer in the public service unless it was for the good of the Department.

Mr. DOMVILLE said that Mr. PICK was sent three times through Kings County at the last election, and worked, in broad day light to the knowledge of every one, at Hampden for the present Administration, and he (Mr. DOMVILLE) could prove by Mr. CARVELL that he was instructed by the hon. Minister of Customs to retain Mr. PICK in his position. Mr. CARVELL was now present and ready to substantiate what he (Mr. DOMVILLE) had said.

Hon. Mr. BURPEE said he never mentioned to Mr. CARVELL anything about Mr. PICK when Mr. BRYDGES was down there. Mr. PICK was removed from St. John to Point du Chene, but not by my instructions or with my knowledge.

Mr. DOMVILLE said he did not state that it was done then, but it was done before or after. The hon. Minister of Customs kept that man: in office, and sent his employees out to work at elections, while at the same time the hon. Minister addressed the people in the Mechanics' Institute of St. John, and warned all officers not to take part in the elections.

Hon. Mr. BURPEE—I never addressed a meeting in the Mechanics' Institute of St. John.

Mr. DOMVILLE—I say the hon. gentleman was present.

Hon. Mr. BURPEE—I say I was not.

Hon. Mr. DOMVILLE said the hon. gentleman's denial went only to show that he was not at the Institute. He was bound, however, to accept the statement of the hon. Minister, although he did so with great reservation. He also received with great reservation the statement of the hon. Minister that only on one occasion were goods imported on which the duty was not paid by means of a pass.

Mr. DOMVILLE next proceeded to refer to the investigation which was being made by the Committee of the House into the FRASER, REYNOLDS account, when Mr. SPEAKER called the hon. member to order, and ruled that it was entirely out of order for hon. members to refer to what had transpired in a committee before the committee had reported.

Mr. DOMVILLE called the attention of the House to a statement appearing in Mr. BRYDGES' report which he considered very unfair. After stating that he had visited the Auditor and examined the acccounts. Mr. BRYDGES said :—

"The balance against the station at the date that I examined the accounts was $4,866.80, said to be for goods in store but not delivered. Upon examination I did not find this to be an accurate statement of the case. Upon examination of the accounts I found that one item—$893.88—was for charges due by the railway for the carriage of its own materials. It did not, of course, affect the cash balances, but made the apparent balance at the station much higher than it actually was. There was an amount of $958.08 owing by the Coldbrook Rolling Mill Company, for goods which had been delivered to the mill, but which had not been paid for on delivery."

That was an assertion that was calculated to mislead the public, to cast a slur on the credit of the company, and to convey the impression that they were unable to meet their engagements, and that Government allowed them to continue their operations on suffrance. In order to explain that statement, he would state that those mills turned out from twenty to twenty five thousand tons per annum of raw and manufactured material. Sometimes three or four vessels would be lying at the wharf discharging their cargos, and the inspectors found themselves compelled to wait till the end of the month to send in their statement. On that occasion the month had expired three days previous. It appeared to have been the habit to give a monthly account. Mr. BRYDGES also said:—

"The amount which was due at the time I made the examination of the accounts was for a very much longer period than a week, and, as far as I could ascertain, it extended over a month. There is no reason why this account should have been allowed to run so long."

On the day the account was presented at the office of the Company (said Mr. DOMVILLE) it was paid and receipted. Mr. DOMVILLE next proceeded to show that the freight tariff had been raised so as to reach $26\frac{2}{3}$ cents per ton per mile on the material sent from the mill; and that the company had been compelled to purchase their own rails for their siding and put them down, whereas in other cases the rails were supplied by the Government. As regarded the management of the railroad, he had only to take up the public prints and refer to the report of a meeting held by the mechanics of St. John, where it was stated, even by JEREMIAH TRAVIS,—

Hon. Mr. HOLTON rose to a point of order. He asked what was the question now before the chair?

Mr. SPEAKER—The question is that I do leave the chair.

Hon. Mr. HOLTON submitted that was a question which should not be put. When the House rose for recess they were receiving the report of the Committee of Supply. The hon. gentleman was now speaking to the motion before the House at six o'clock, and his speech had no reference to the item then under consideration.

Hon. Mr. TUPPER understood that when the House resumed after recess, the Finance Minister made a motion that the SPEAKER do now leave the chair to go into Committee of Supply. The debate had correctly taken place upon that motion, and he (Mr. TUPPER) was careful not to travel in the slightest degree outside the statements made by the Finance Minister, in his remarks to the House. The remarks now being made by the hon. member for

King's County were in reply to the speech of the hon. Finance Minister.

Hon. Mr. HOLTON submitted that the motion of the Finance Minister was not in order. At six o'clock the House was receiving the report of the Committee of Supply, which was not disposed of, and until it was, no motion to go into Committee of Supply could be entertained.

Mr. SPEAKER said the remarks of the hon. member for Chateauguay were quite correct. The House was receiving the report of the Committee of Supply when the House rose for recess. It was only after the hon. member for Cumberland had commenced his speech that he noticed that the motion of the Finance Minister was out of order. He thought it better not to interrupt the debate then, as there seemed to be an understanding between the hon. Finance Minister and the hon. member for Cumberland that it should take place. If the House were unanimous in wishing the debate to be continued, he would not notice the irregularity since it had gone so far.

Hon. Mr. HOLTON insisted that the debate be discontinued.

Mr. SPEAKER ruled the motion of the Finance Minister out of order, and called the next item.

On motion of Hon. Mr. CARTWRIGHT, further consideration of the report was adjourned, and the House adjourned at 1 a. m.

HOUSE OF COMMONS.

Friday, February 26th, 1875.

The SPEAKER took the chair at three o'clock.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:—

Mr. MACKENZIE (Montreal)—To amend the act incorporating the Canadian Navigation Company.

Mr. JETTE—To incorporate the European and American Express and Agency Company.

Mr. IRVING—To incorporate the Manitoba and North-West Permanent Building Society.

Mr. DESJARDINS—Respecting the Montreal Northern Colonization Railway Company.

Also to incorporate the St. Lawrence Bridge Company.

Mr. DEWDNEY—To incorporate a company to construct, own and operate a railway from Red River, in the Province of Manitoba, to a point in British Columbia on the Pacific coast.

Mr. MACLELLAN—To incorporate the Canadian Steam Users' Association.

THE SUPPLEMENTARY FINANCIAL STATEMENT.

Hon. Mr. HOLTON asked the hon. Finance Minister when he would have the kindness to lay on the table, as was customary, the supplementary statement of receipts and expenditures, from the end of the financial year ending June 30th, 1874, to the latest practicable date, in order that the House might be in a position to consider the present financial condition of the country as affected by such statement before the financial measures of the session finally passed from their consideration. Honorable gentlemen opposite had not called for this statement, and he felt it necessary to make the request which he should perhaps have left to them.

Hon Mr. MITCHELL said this implied a quiet charge of neglect of duty on the part of the Opposition. As hon. gentlemen on the left of Mr. SPEAKER had asked in vain for such a statement last year, they thought it was of little use to make the request this year. They thought it would be better to leave the matter in the hands of the hon. member for Chateauguay, whose sense of duty would not allow him to overlook it, and whose demand the Government would not care to refuse.

Hon. Mr. MACKENZIE — It was brought down last year.

Hon. Mr. CARTWRIGHT hoped to be able to bring down the statement next Tuesday.

THIRD READINGS.

The following Bills were read a third time and passed:—

To amend the Acts for the better preservation of the peace in the vicinity of Public Works.

To amend the Dominion Militia and Defence Acts.

THE INSOLVENCY BILL.

The Bill respecting Insolvency was read a second time.

Hon. Mr. FOURNIER said it was not his intention to say anything with reference to the measure at this stage. It would be referred to a special committee to be thoroughly examined there, and the committee would also receive suggestions from hon. members. The House would have a full discussion of the measure in Committee of the Whole. He moved that the vote be referred to a select committee (the rule of the House being suspended) composed of Sir JOHN MACDONALD, Messrs. BLAKE, HOLTON, CAMERON (Cardwell,) WILKES, DEVLIN, CAUCHON, JETTE, DAVIES, PELLETIER, THIBEAUDEAU, LAFLAMME, COLBY, JONES (Halifax,) WOOD, CUNNINGHAM, APPLEBY, MOSS, IRVING, RYAN, BABY, BARTHE, MOUSSEAU, CARON, PALMER, MACLELLAN, and the mover, to report thereon with all convenient speed. —Carried.

THE FOREIGN ENLISTMENT ACT.

Sir JOHN A. MACDONALD asked when the Act relating to Foreign Enlistment was coming up.

Hon. Mr. FOURNIER — On Tuesday.

Sir JOHN MACDONALD thought it fair to say that he would oppose the Bill, and that he would state his reasons why he thought the Bill should not become law.

IMMIGRATION AND QUARANTINE.

On item 46, reported from Committee of Supply,

Hon. Mr. MITCHELL asked for information respecting the instructions given to the Agent General to England. He did so because he found in a paper he had received a very able address delivered by that gentleman at Manchester some time during the month of January. While the address itself was exceedingly interesting and one in which there was a great deal calculated to benefit Canada, there were some portions of it which, to his mind, were exceedingly injudicious and not calculated to impress very favorably this House in relation to Mr. JENKINS. Was the mission of Mr. JENKINS on the other side of the water, in addition to attending to emigration matters, to discuss politics and deal with the public questions and public opinions of gentlemen in this country? It seemed to him (Mr. MITCHELL) that Mr. JENKINS should confine himself strictly to the mission for which he was employed, and not discuss political questions as he did at Manchester in the following manner :—" No doubt there are instances of incidental protection, and these probably the leaders and adherents of the present Government of Canada will endeavor gradually to remove, because their policy is essentially a liberal policy, based upon a recognition of established principles of economy and economic administration in the State." Further on, Mr. JENKINS says :—" If you ask whether there is not in Canada a party of manufacturers who are in favor of protection, I am bound to admit that there is ; but no one would think of comparing the mere streaks of protective policy in the Canadian political strata with the vast protective conglomerate of the other side of the border." He (Mr. MITCHELL) was not going to express an opinion in favor of protection or of free trade at this time, but he thought it impolitic of Mr. JENKINS and unwise on the part of the Administration to allow a servant of theirs in England, who should occupy a neutral position, to express opinions where there might be divided opinions in relation to trade. Mr. JENKINS further on remarks :—" I think I may safely say there is growing up an opinion in Canada in favor of permanent union with the British Empire on very equitable terms. I could, were there time, allude to the remarkable utterances of Mr. BLAKE, one of the most distinguished of Canadian statesmen, who has distinctly and deliberately thrown himself into the fore-front of the movement in favor of an Imperial Confederation. This I know is viewed by some persons, and very eminent persons, in Canada, as well as by a numerous and influential class of the community as a chimera—so was reform, so was free trade, so was the abolition of the slave trade. But when it is considered that it must be either Imperial Confederation or Imperial disintegration, it may be asked whether the man who considers that the probabilities of the permanency of an empire based upon politic concessions and just recognition of mutual rights and obligations is less visionary than one who entertains the prospects of a dissociation of the elements of an empire so strong, so universal, so knit together by ties of kin-

dred, of government, of interest, and of national glory." Now, he (Mr. MITCHELL) did not object to this statement if it had been confined to the growing feeling in Canada in favor of continued connection with the empire, but he did not agree with Mr. JENKINS when he went further on and said that either Imperial confederation or Imperial disintegration was ahead of us. The present condition of affairs was satisfactory to the people of England and to the people of this country. The true interest of Canada was to continue our present relations with the Mother Country, maintaining independence in reference to the internal economy of the Dominion, and at the same time the most intimate and friendly relations with the empire. Another remark of Mr. JENKINS met with his most cordial approval. It was that portion of the speech in which he characterized the utterances of Mr. BLAKE as remarkable. They certainly were remarkable. and Mr. JENKINS was right in saying that the hon. member for South Bruce was a distinguished Canadian statesman. No one could doubt the talents and ability of the hon. gentleman and he (Mr. MITCHELL) did not object to Mr. JENKINS lauding our public men in England, but he did object to his representing the hon. member as being in favor of Imperial Confederation. The hon. member for South Bruce had never advocated such a change in Parliament, and there was a great difference between his utterances in Parliament and in other places. If the hon. gentleman was in favor of changing our relations with the Mother Country the fact should be stated from his place in this House, and not through such a seemingly irresponsible party as Mr. JENKINS. That gentleman should not be allowed, while holding a position something like that of an Ambassador, to make such a statement as the following :—"There can be only one opinion on the part of anybody who has taken the trouble to look into the financial position of the Dominion at the time the present Government came into power, and at those engagements into which the previous Government had entered with British Columbia, viz. ; that to carry out those engagements in their integrity would have been a stupid and idle waste of the resources of the Dominion. It would more than have doubled the debt of Canada ; it would have taxed her resources —resources better devoted to the development of population and wealth—to the utmost ; it would have created a vast and costly Government patronage and a constant financial derangement which must always have been perilous to good and economic and honest government. Great as must have been the mortification of Imperial and Canadian statesmen to find that a solemn compact entered into by a Government could not be carried out with justice to 3,500,000 whilst it involved an injustice to some few thousands on the distant shores of the Pacific—I venture to say that no impartial Canadian politician or financier, and no sensible English critic, economist or statesman will look upon the conduct of the present Canadian Government in regard to this matter as dictated by anything but sound and necessary policy." Now, Mr. JENKINS should not be allowed to tell the people of England that we were anti-protection or free-trade people, or condemn the policy of the Government, or reflect upon the public acts of this Parliament, or the Parliament that passed that Pacific Railway Bill and bound themselves in a compact with British Columbia to build a railroad across the continent. He did not intend to oppose this grant, but he felt it his duty to ask the House to reflect upon maintaining a person in such a position without instructions to prevent a recurrence of such utterances as these. At a public meeting in St. John, Mr. JENKINS had stated that three or four years would not elapse before such a change would occur in public feeling that it would either result in binding the Dominion closer to the Empire, or sever the ties that bind us to the Mother Country. On that occasion he (Mr. MITCHELL) combatted this view. He held that the tie, which was almost imaginary, should be maintained. He hoped the day would be long in coming before a change would occur, but when it did come, his first interest would be Canada. When, therefore, Mr. JENKINS proposed a closer alliance with the Empire by which we should assume her responsibilities and debts, all her international obligations and difficulties created by entanglements with foreign States, the necessity of contributing to her army and navy, with the chance of being ruled from Downing

street, his (Mr. MITCHELL's) feeling would be Canada, first —not Canada, first in the sense in which it had been proclaimed in Toronto, but Canada's interests first. It might seem strange that he should make such remarks on this motion. He knew it was open to the criticism of being injudicious, but it was due to the country, when statements like these were made by a man in the position of Mr. JENKINS, that the Ministry should not by a silent endorsation assent to such views or the country believe that a change was either necessary to its prosperity or desired by its people.

Right Hon. Sir JOHN A. MACDONALD did not think his hon. friend had any reason for getting into an exalted state, but enough had been said to make it necessary for the Premier to make some explanations respecting the Agent General. He (Sir JOHN) admired the manner in which the Premier had protected Mr. JENKINS from censure for his very foolish speech last year, but, while the hon. gentleman was quite right in standing by his public officer, he (Sir JOHN) thought that the Agent General would soon disappear. It was absolutely necesssary that, if Canada was to have a really efficient and effective agent, that man should be a civil servant and officer of this Government, attending his office from 9 a. m. to a certain hour at night, ready to meet people desiring to emigrate to Canada, and not be spreading himself at Liverpool, Manchester, Dundee and everywhere else at the expense—he had no hesitation to say —of the people of Canada. That man was never to be found at his office. He was out here last summer starring it in America, and what became of the office while he was away? The Premier replied that Mr. JENKINS had a chief clerk, and it was not necessary that he should be there in September. If there was any month in the year when it was necessary to have an agent in London it was September. In September, October and November emigrants were looking for information preparatory to coming to this country. And where was Mr. JENKINS' next man while he was in America himself. That next man was his brother.

Hon. Mr. MACKENZIE—No.

Sir JOHN MACDONALD—Is not Mr. JENKINS' brother there?

Hon. Mr. MACKENZIE—He may be there, but he is not the next man.

Sir JOHN MACDONALD said Mr. JENKINS' brother was in Egypt, and a little runner was left in charge and the agency was neglected. Was not that so?

Hon. Mr. MACKENZIE—It was not.

Sir JOHN MACDONALD said he must be mistaken then, but the hon. Premier would find that he (Sir JOHN) was correct in his information. Mr. JENKINS had made himself personally offensive to the British Government, and should be obliged either to resign his position in Parliament or his office as Agent General. It was quite impossible that the interests of Canada could be protected if that officer was a political partisan of the most advanced stripe.

Hon. Mr. MACKENZIE said his hon. friend thought it very wrong that Mr. JENKINS should attend to emigration matters in England because he was a partizan. Was not WILLIAM MACDOUGALL a partizan, and was he not appointed because he was a partizan? It was all right for WILLIAM MACDOUGALL to write articles in the English press against this Government, but the moment an expression fell from Mr. JENKINS that was thought indiscreet, it was made the ground of attack on the Government. Nothing could be more scandalous than the attacks of the Tory press, mentioned by Mr. JENKINS in his speech, upon the Government and people of Canada at the very time when the Finance Minister of the Dominion was in England. These articles were produced for the express purpose of misrepresenting the Government and Parliament of Canada in relation to the Pacific Railway policy and to throw all the odium possible upon them. With reference to the speech of Mr. JENKINS, perhaps it was a great crime to refer to Mr. BLAKE as a leading statesman of Canada.

Hon. Mr. MITCHELL—I said nothing of the kind.

Hon. Mr. MACKENZIE—The great objection was that he made reference to any of our public men.

Hon. Mr. MITCHELL—On the contrary I said I approved of his noticing in England the public men of Canada.

Hon. Mr. MACKENZIE—Then I do not know what the extract was read for.

Hon. Mr. MITCHELL—I objected to his condemnation of the late Government and his comments on the policy of the Canadian Parliament.

Hon. Mr. MACKENZIE said he was not bound to restrict any officer of the Government to say anything speculative of our politics. Why did the hon. member never call the attention of the House to the fact that a salaried officer, in his own presence, went upon the hustings and denounced this Government and proposed a candidate in opposition to the Ministerial candidate? Why did the hon. member for Kingston appear at a public meeting in Stratford with one of the civil servants appearing with him and denouncing the then Opposition through a salaried officer?

Sir JOHN MACDONALD—It has never been denied that an officer of the Government may support the Government of the day, and the question is whether he can oppose the Government.

Hon. Mr. MACKENZIE—The hon. gentleman says it has never been denied that an officer of the Government may support the Government of the day. Very well then, the converse is true—an officer of the Government may oppose the Government. The hon. gentleman cannot take one side without taking the other. He (Mr. MACKENZIE) thought it was exceedingly improper for an officer of the Government to adopt either course.

Sir JOHN MACDONALD said the House would remember what Mr. DORION had said in his place when he carried the ballot clauses. He then said that one of the advantages of those clauses was that every officer of the Government, whether for or against the Government, could vote.

Hon. Mr. MACKENZIE said that was an entirely different matter. But the hon. gentleman opposite took the ground that a very general expression of opinion, so general that no bias could be discovered in it, was exceedingly improper in Mr. JENKINS; but it was exceedingly proper for the hon. leader of the Opposition to take one of his chief officers of his own department, when at the head of the Government, and travel with him as part of that political menagerie that travelled through the country in 1872. Then there was the case of Lieut. Col. INCHES, a salaried militia officer in New Brunswick, who appeared on the platform, denounced the Government, and proposed the Opposition candidate. And yet, with these cases before him the hon. leader of the Opposition had attacked Mr. JENKINS. He quite admitted that it was a question for discussion whether the position of a member of Parliament in England is compatible or not with the position of Agent General of the Dominion, and the Government would now have to consider whether there was anything objectionable in the gentleman holding the two positions; but when the hon. gentleman stated that the emigration business was neglected he spoke without any kind of authority. On the contrary our emigration business was never attended to so well since it was commenced in England as during the past year. There never was previously such an efficient supervision of emigration matters in England and the business capacity that Mr. JENKINS had displayed in this particular was greater than that which had ever been shown before. In regard to Mr. JENKINS' visit to Canada he (Mr. MACKENZIE) had only to say that he came at the request, and with the assent of the Government, to make arrangements with the different Provinces which would prove more effective than those then in existence. He came to complete arrangements which were contemplated when he left England, and which had been carried through most successfully. He had no object in defending Mr. JENKINS other than that of doing him justice. He believed, however, he was a most efficient Superintendent of our emigration business in England. During his absence the duties of the office were discharged by Mr. ADAMS, a senior clerk, who is reported to be an able officer. He was quite willing to contrast the services Mr. JENKINS had rendered in the Emigration Department with the efficiency or non-efficiency of the London office in years past, and was also quite willing to contrast his services with those of the agent of the hon. gentleman opposite, the hon. Mr. MACDOUGALL.

Hon. Mr. POPE denied *in toto* that the Hon. WILLIAM MACDOUGALL had agitated the country and written articles in the papers while he was in the employ of the late Government. That gentleman was sent abroad by the late Government on a particular mission, namely, that of special agent in Norway, Sweden and

Denmark. He remained there until the late Government went out of office, in fact his term expired about that time; and if he was continued in the position afterwards it was with the consent and approval of the present Government. That gentleman had no occasion to be in England so far as emigration was concerned. By perusing the Orders in Council the hon. leader of the Government would see that Mr. MACDOUGALL'S appointment had reference solely to the Scandinavian kingdoms. The Premier had gone so far as to state that the present incumbent of the office of Agent General was a person of wonderful ability, and had done more than his predecessor to promote emigration to Canada. He (Mr. POPE) regretted more than he could express the death of Mr. DIXON, the late Agent. He was held in high esteem both here and in the Old Country, and was a gentleman who never identified himself either with one political party or the other, but fairly and honestly represented Canada in England. If the House wished to know which of these Agents had really done the most to promote emigration it could obtain the information in no manner with more certainty than by consulting the returns of the number of emigrants who had arrived here. During the past year of Mr. DIXON'S service there came and settled here 50,000 emigrants, while the number for the present year would not exceed 36,000. The truth was that Mr. DIXON killed himself in the service of Canada by over-work. It was worth while also to consider the expenditure during Mr. DIXON'S term of office and that at the present time. It would be found that the expenses for the current year, under Mr. JENKINS' supervision, would be three times that which was being incurred when Mr. DIXON left office, and yet the emigration returns showed that the volume of emigration was only two-thirds of what it was. With this experience he would leave the House and the country to judge whether Mr. JENKINS had done such wonderful service for this country in emigration matters as compared with the work performed when Mr. DIXON was in charge of the London office. He desired while on the immigration items to inform the House that when Minister of Agriculture and Immigration he promised increases of salaries to the agents at Toronto and Quebec, so soon as there should be an organization of the Department. He hoped the hon. leader of the Government would take the matter into consideration.

Hon. Mr. MACKENZIE said that while declining to agree absolutely to any promise made by the late Minister of Immigration, they would consider his promises entitled to all possible respect and consideration. With respect to the other point, he thought the hon. member for Compton had forgotten the circumstances connected with the appointment of Mr. MACDOUGALL. The hon. gentleman appointed Mr. MACDOUGALL for four months, at $200 per month; but at the end of that period an Order in Council was passed extending the appointment to an unlimited time. If any hon. member called for the Order in Council it would be brought down.

Hon Mr. POPE said he did not remember the second Order in Council. He did remember, however, giving instructions to the Secretary of the Department to inform Mr. MACDOUGALL that his services in the Scandinavian countries could be no longer required.

Hon. Mr. MACKENZIE said that that lettter had not been yet discovered. When he (Mr. MACKENZIE) ascertained that Mr. MACDOUGALL was engaged as agent in the Scandinavian countries, and was spending his time almost wholly in London, he thought another agent in London was unnecessary. As Mr. MACDOUGALL was in the service of the late Government when it resigned, he (Mr. MACKENZIE) did not think it fair that he should be dismissed without a moment's notice, and he was, therefore, informed that his services would not be required after 15th April. Mr. MACDOUGALL was not only appointed by hon. gentlemen opposite as Emigration Agent, but at that very time he was supposed to be working in Scandinavia. He was also the agent of the Marine and Fisheries Department, and received $400 for that service before he left the country, and he had a claim before the Government now for £500 sterling for his services up to the time he left England. The Leader of the Opposition took the somewhat remarkable ground that it was quite proper for a servant of the Government even to appear on a public platform as a partisan of the Government, but it was ex

ceedingly improper in Mr. JENKINS who must be admitted to be a servant, ever to insinuate afterwards in favor of the Administration. He left hon. gentlemen opposite to reconcile their statements if they could ; and in the meantime he had merely to say he had no knowledge of the speech which had been read, being a speech delivered by Mr. JENKINS, or whether the report was a correct one of the speech. If there was anything improper in any speech delivered by any agent of the Goverment it would be the duty of the Government of course to deal with the matter ; but he (Mr. MACKENZIE) was not to assume an idle, newspaper report as conveying a correct statement of what a gentleman said. But the remarks were made by hon. gentlemen opposite in the present instance as a means of attack on the Government.

Hon. Mr. POPE said there was now a question of veracity between himself and the hon., the Premier; and he repeated his statement—that before he left the Government he instructed the Secretary of the Department to notify Mr. MACDOUGALL that the season had passed in which his services were of any further use in the Scandinavian countries.

Hon. Mr. CARTWRIGHT admitted the correctness of the statement of the hon. member for Compton, that the number of immigrants arriving in Canada had decreased during the past year ; but he thought it would be well if the House would bear in mind the cause of the decrease. Every one knew that during the past eighteen months the state of affairs in the United States had been such that for the first time in their history there had been something like a counter current back to Europe, and no doubt that had materially affected the immigration to Canada. It was very difficult to induce the people of Europe to distinguish between Canada and the United States—they were both known as America, and if they knew there was prostration in trade on the South side of the line, it was difficult to have a fair field in Canada. Having spent a considerable time in London, I had a favorable opportunity of watching Mr. JENKINS' mode of doing business in his capacity as our chief Emigration Agent, and he displayed much zeal and ability. He thought Mr. JENKINS possessing that capacity, would render very considerable service to the country.

Hon. Mr. MITCHELL rose to offer a personal explanation in reference to the remarks of the hon., the First Minister. He denied the assertion that Mr. JENKINS' remarks were put forward as affording ground for an attack on the Government. The tenor of his remarks would show that such was not his intention, and he fully disclaimed any such intention.

Hon. Mr. MACKENZIE—I referred to the hon. gentleman's leader more than to himself.

Hon. Mr. MITCHELL said he was responsible to his constituents for the sentiment he uttered, and he had no leader in the House. He would offer an explanation in respect to the payment made to Mr. MACDOUGALL before he left this country for special services in connection with the Marine and Fisheries Department. When the Treaty of Washington was completed as far as regarded its preliminaries, it became necessary for the Government of Canada to prepare to meet the case which the Government then hoped was likely to be heard at an early day, to fix the compensation to be paid to Canada in refund to the Fisheries. It was expected that the Fishery Commission, which was to be held in Halifax, would have been appointed, and that the Government of Canada would have at once directed its attention to making up a case to be presented to that Commission. The Government of which he was a member felt it to be their duty to apply to Downing Street for the necessary correspondence, documents and charts relating to our rights to the fisheries which dated from 1782. When they applied to the Colonial office for that information, they were informed that the office was quite prepared to give the Dominion Government any information or document it possessed, but as it was not known what documents would be required the Dominion Government should employ some suitable person to examine the archives and obtain papers that were desirable and important. For some time he was in doubt as to whom he could get to perform the duty. Mr. WM. MACDOUGALL was going over to the Scandinavian provinces on emigration matters, and he felt that that gentleman's intimate knowledge of the history of this country and his great ability ren dered him the very best

man that could be obtained to secure the information he desired. With no little reluctance Mr. MACDOUGALL consented to perform the duty, and for his services in that respect the Government advanced him $400. Was that too much to pay for securing information that might be worth thousands of dollars to us when the consideration of the fishery question came up? If Mr. MACDOUGALL was on a salary at that time, he (Mr. MITCHELL) did not know it, and if he had known it, it would have made no difference. He was justified in what he did, and he believed the country would justify him in it. As to the extent of the information that Mr. MACDOUGALL secured, he was not prepared to say, but his successor ought now to be in possession of all the information, and if he was not it was his own fault.

Mr. MILLS observed that there was an extraordinary discrepancy between the statements made by the hon. members for Compton and Northumberland. The member for Compton said it was never contemplated by the Government that Mr. MACDOUGALL should spend his time in London, but should go to the Scandinavian counties. On the other hand, the member for Northumberland said he expected that Mr. MACDOUGALL would spend his time in London, and therefore he employed him to search the public records there.

Hon. Mr. MITCHELL—I did not say he was going to spend his time in London. I said he was going to the other side of the Atlantic.

Mr. MILLS asked how he was going to make these laborious researches if he was to go direct to Scandinavia to perform the duties of emigration agent there? His hon. friend opposite had received new light since he became an independent member of this House. Under the late Administration there was an emigration agent in Ireland—Mr. MOYLAN—who took a very active part in the politics of Great Britain, and who wrote a very extraordinary and, as some think, a somewhat impertinent letter to Mr. GLADSTONE about public affairs. That matter was brought before this House, and the then Government, of which the hon. gentleman was a member, had no objection to make to such conduct, but, on the contrary, they thought Mr. MOYLAN had acted quite properly. According to the hon. gentleman, what was quite right for Mr. MOYLAN to say with regard to public affairs in Great Britain was altogether improper for Mr. JENKINS to say with regard to affairs in Canada. For his (Mr. MILLS') part, he did not consider it necessary that an emigration agent should be deprived of the right to think and speak on public affairs, and he saw nothing out of the way in the speech of Mr. JENKINS. What this House and the Government had to consider was whether he discharged his duties to this country efficiently, and of that there was very little doubt. Holding the political views he did, Mr. JENKINS was all the better able to discharge the duties of emigration agent, because they brought the emigrating classes more closely into sympathy with him and he with them. Who were the men that had led immigration into Canada during the last five years? Mr. ARCH, Mr. TAYLOR, and Mr. O'LEARY, men who held political views similar to those held by Mr. JENKINS, and who sympathized with the dissatisfied portions of the people, who were the very classes that were most disposed to emigrate.

Hon. Mr. MITCHELL said he had never approved, and he would be very sorry to approve, of the conduct of Mr. MOYLAN in writing that very extraordinary letter to Mr. GLADSTONE.

Item concurred in.

THE MENONITE LOAN.

On the next item, Menonite Loan, $100,000,

Mr. MASSON said, when this question was before the committee, he had stated that he was not at all disposed to object to the loan because he knew himself that the Menonites were a good class of emigrants, whose presence in our country would add to its wealth and prosperity. However, he was not such an enthusiast on this matter as some hon. gentlemen, and he did not think they were any superior to many other classes of emigrants, and should not receive any greater advantages than any other class that was prepared to fulfil the same conditions. He had stated then that he thought it would be more advantageous to this country to strive to recall from the neighboring country those numerous children of Canada who had left our soil, but who were now disposed to return. The Premier on that occasion, stated that there were

some difficulties in the way of doing this, but that the matter would receive consideration. Before making any further remarks, he would ask the Premier whether it was his intention to take means to encourage the return of Canadians from the United States similar to these it was proposed to take to promote the immigration of the Menonites.

Hon. Mr. MACKENZIE—I can hardly add anything to what I said the other evening. I quite sympathize with the hon. gentleman's desire to secure the return, if possible, of those Canadians who had gone to the United States, but as I stated then there are peculiar difficulties to contend with in doing that. The Government will endeavor to devise some plan if they can by which that may be accomplished to some extent. I am not prepared at present to say how it can be accomplished.

Mr. MASSON observed that the money now being voted was for the year ending 30th June, 1876, and he had hoped that the Premier would have been able to have made such a statement of his intentions as would have obviated the necessity of asking the House to say whether so large a grant should be given to the Menonites without some guarantee being given that before July, 1876, something would be done to promote the return to Canada of our own fellow-countrymen. But, of course, if the hon. gentleman said he could not do so, he (Mr. MASSON) would be obliged to divide the House.

Hon. Mr. HOLTON said the object of his hon. friend from Terrebone was one with which they must all sympathize. But the distinction between the case of the Menonites and the case referred to by the hon. gentleman was this ; that whereas the Menonites came before the Government with a distinct proposition, he was not aware that there was any distinct practical proposition before the Government upon which they could invite the House to take any action with respect to the re-immigration of our own people into this country. If the hon. member for Terrebonne was in a position to present to the Government a tangible, practical proposition for the promotion of the return of any considerable number of our fellow-countrymen, he (Mr. HOLTON) for one would be prepared to second his efforts in urging such a proposition upon the favorable consideration of the Government. We had a practical plan as respects the Menonites, but he was not aware that we had any such plan as respects our own countrymen in the United States,

Mr. MASSON said he had already stated that he had such information as would justify him in saying that applications had been made to the Government on behalf of Canadians in the United States wishing to return and that no proper answer had been given. He had asked the Minister of Public Works if townships had not been reserved in Manitoba for certain colonies of immigrants. and he had replied that he thought such was the case but that the scheme had been a complete failure. To a certain extent that statement was true.

Hon. Mr. MACKENZIE—I said it was a comparative failure.

Mr. MASSON—The first colony was called the Emerson Colony, and it had not been able to comply entirely with the Order in Council which had been passed to enable them to have a township reserved for them. There was another effort made to establish a colony called the Rolestan Colony, but that he knew was a complete failure. But still the Government were not discouraged by these failures for at the present moment negotiations are going on with a Mr. SHAW to bring out a number of European immigrants, and to have a certain number of townships set apart for them. Last fall when he (Mr. MASSON) was in Manitoba a gentleman named Mr. MONTY came over from the United States to examine the territory and see whether it would not be possible to throw into Manitoba a current of French immigration from the United States. He returned to his home at Fall River and made a report to the Canadian Colonization Company of that city, speaking in glowing terms of Manitoba and of its advantages to immigrants. In consequence of that the Colonization Society of Manitoba wrote to the Government here, applying for the same advantages which the Government had granted to other colonies, namely ; the reservation of a certain number of townships. Application was also made for a bonus to assist Canadians who desired to come to Manitoba from the United States to do so. That application was made in October last, and he believed that up to the present

time no answer had been received which could be considered as either an acceptance or a refusal of their proposal. The Minister of Public Works knew that there was an intense desire among the people of the Province of Quebec to assist their compatriots in the United States to return, and among the French Canadians in the United States there was a strong desire to come back to this country. The Legislature of Quebec, supported by public opinion, had lately passed resolutions offering great inducements for that class of people to return. Of course the Government of the Dominion could not particularly and specially encourage immigration to Quebec, but they had full charge over immigration to Manitoba and the North-West. It was our duty to do our utmost in favor of the repatriation of Canadians, more especially as the very fact of a large number of Canadians abandoning their own country and living in the United States was calculated to induce emigrants from Europe to go to the United States in preference to Canada. He did not wish in the least degree to embarrass the Government, but in the interests of this country as well as of his compatriots in the United States, he felt bound to urge this matter upon the Government. He concluded by moving that the following words be added to the resolution :

" And that out of the sum to be set apart for the benefit of the Menonites a proportionate sum be assigned towards inducing Canadians residing in the United States to settle in Manitoba or the North-West Territory."

Hon. Mr. MACKENZIE — That is not an appropriation recommended by the GOVERNOR GENERAL, and therefore is out of order.

The amendment was ruled out of order.

Mr. MASSON said he had offered that amendment to show that he was quite willing that this grant of $100,000 should be voted, provided the same advantages were given to Canadians in the United States, as it was proposed to give to the Menonites. As it had been ruled out of order, he would move the following amendment :

" That the resolution be not concurred in, but that it be resolved that the sum of $100,000 for a Menonite loan be reduced to $50,000."

Mr. D. A. SMITH (Selkirk) said he cordially sympathized with the proposal to encourage the immigration of the Menonites to Manitoba, and he would be very sorry to see the amount reduced. He proceeded to speak in high terms of the Menonites as a very valuable class of immigrants. Had the Government thought proper to ask for $150,000 instead of $100,000 he would have voted for it. for it would be money well spent even though not a dollar of it was directly repaid. The same amount of money could not be spent more profitably in any other way. While he said this he would also say that he would be very glad to see every possible encouragement given to the return of Canadians to our country, and he trusted the Government would see their way to assist them. He hoped the hon. member for Terrebonne would withdraw his amendment, for he must know that not only the Government but every member of the House were anxious to extend a helping hand to our countrymen in the United States who desired to return to this country.

Mr. BLAKE trusted that his hon. friend from Terrebonne would not press this motion. The hon. gentleman he contended had not submitted any argument in support of his proposition, and did not even conjecture by what arguments it ought to be supported. He (Mr. BLAKE) had not heard one complaint against the grant, and the principle once admitted it could not be said that the amount was inordinate. If there were any good reasons for the reduction proposed by his hon. friend, the same reasons would apply to the item being struck from the estimates. He assured the hon. gentleman that he would by no means advance the cause he had at heart by this proposition. Having in view the fact that a scheme of some description had been laid before the Government, and admitting that there would be most serious difficulties in the way of its organization, he considered that it might be expedient to provide a sum which would be available, if any practicable scheme was submitted. He thought the Government might propose a moderate amount in the supplementary estimates to be dealt with in the way suggested, as they might think fit, but while making this suggestion to his hon. friend the First Minister, he would also advise the hon.

gentleman that if he insisted upon his amendment the House would of course reject it.

Mr. YOUNG said the Menonites of Waterloo had taken a deep interest in the immigration to this country from South Russia and had suggested this loan. He thought, therefore, that the hon. member for Terrebonne should withdraw this motion, for he considered in allowing it to stand he was taking a most ungracious position. The hon. member, too, had advocated that it should be given to French Canadians in the United States, to induce them to return, but because he could not get what he wanted, at once, he appeared to be unwilling to permit any advantages being given to others. He (Mr. YOUNG) would be glad of any practicable scheme for bringing back, not only the French Canadians, but Canadians from all parts of Canada who had emigrated to the United States, and having them settled in their own country again. He believed there were about half a million on the other side of the line, and their return was a very desirable thing, but he did not regard their position as being the same as that of persons in foreign countries, who desired to come here. The Menonites, for example, had to come a very great distance, and the chances were that when they did come they would remain. Their circumstances were such that a little assistance was of very great importance to them, and the grant which the Government proposed in the estimate was, he considered, as well spent as money possibly could be. If there were Canadians in the United States, they were there by choice, and the distance between here and there and the cost of returning was so small, that he could scarcely think that any large amount of money should be necessary to induce them to return. If they had any desire to come the expense need not stand in their way. So far as land was concerned, he considered they should be placed in just as favorable a position as any class of immigrants that come to the country. He trusted the hon. member for Terrebonne would see that his position in opposing this loan was quite inconsistent with the proposition he made that aid should be given to the French Canadians in the United States in order to induce them to return. He was acting, he was sorry to see, somewhat after the fashion of what was called in English, "the dog in the manger," and he (Mr. YOUNG) regretted that the hon. member, who was credited—and, he believed, justly credited—with the possession of so much chivalry, should leave his motives in this matter open to question. The Menonites in Waterloo would be very much disappointed if this vote were not carried. As his hon. friend from Selkirk had said, the money would be well spent if never a dollar of it were returned. There was no question, however, that every cent of it would be returned. The Menonites in Waterloo and elsewhere who had become personally responsible for the re-payment of this loan, were some of them the wealthiest people in the county, and the Government and the country might depend upon it that they would see the terms of the loan were regularly carried out. He hoped, under the circumstances, that the hon. member would not persist in his motion.

Hon. Mr. LAIRD denied the assertion that the Government were only prepared to encourage colonization from Europe, and, in proof of his statement, called attention to the fact that two of the colonies established in Manitoba during the last year were from the United States. Emerson colony (started by FAIRBANKS and KEARNEY) was one of the very character advocated by the hon. member, and, although every inducement had been held out to men of all nationalities, in the way of reserving land, the number who took advantage of it was comparatively small, and he believed there were no French Canadians amongst those who did. He reminded the hon. gentleman that this system of settling in Canada was as open to them as it was to anybody else, and that the reservations set apart were the best in the Province of Manitoba. The Emerson Colony was right at the entrance of the Province, and the Pembina Railway passed through it. However, he was sorry to see that even under these most favorable circumstances FAIRBANKS and KEARNEY had been unable to make up their compliment of immigrants within the time specified in the terms under which the reservation was made. There were two schemes for bringing in settlers on this system, neither of which had been at all successful, and,

indeed, the people of the North-West looked upon the system of reservation as one of the greatest objections to the administration of their land by the Dominion Government. It meant frequently simply the locking up of a large amount of land in the hands of a few men. The Government were now becoming more careful in regard to that subject, and refused to make reservations in favor of anybody, unless they were assured not only of their *bona fide* intention, but of their ability to make a settlement within a reasonable period. It would be the policy of the Government in regard to this land to do the most ample justice to all parties concerned.

It being 6 o'clock, the House rose for recess.

After Recess.

SECOND READINGS.

The following Bills were read a second time.

Mr. CURRIER—To incorporate the Lower Ottawa Boom Company.

Mr. BOWELL—To incorporate the *Intelligencer* Printing and Publishing Company.

Mr. BABY—To incorporate the Industrial Life Insurance Company.

Mr. FRECHETTE—To incorporate La Banque *St. Jean Baptiste.*

Mr. BABY—To incorporate the Pictou Coal and Iron Company.

Mr. MURRAY—To incorporate the Upper Ottawa Improvement Company.

THE MENONITE LOAN.

Hon. Mr. LAIRD in resuming the debate, referred to another reservation of nearly two townships made by the late Government at the instance of the German Immigration Society of Montreal. Last year not a single immigrant under the auspices of that Society entered upon the reservation. Last spring correspondence was opened with the Society again, and the Secretary replied that they expected a number of immigrants from Europe, and that in fact he believed they were in the way. However, not a single immigrant entered upon the reservation last summer. Of all the attempts which had been made at colonization the Menonite colony was the only one that had been successful. A large number of them had arrived and settled on their lands last summer. He went up to Manitoba with a number of them, and immediately on their arrival they were off to their lands, and the next week some of them were back to Winnipeg selling butter. In view of the failure of previous schemes the Government felt they must be very careful about making any further reservations of land, for these reservations if not speedily taken up, remained a barrier to the settlement and development of the country. With reference to the case referred to by the hon. member for Terrebonne, he was not aware that any practical scheme had been proposed. Certainly the Government did not desire to exclude any class, and were prepared to consider any practicable scheme for the settlement of Manitoba and the North-West with Canadians from the United States as well as European and other emigrants.

Mr. TROW said he could testify to the truth of the statements of the Minister of the Interior with reference to the total failure of those companies organized to colonize a portion of Manitoba. He considered the EMERSON scheme was a perfect fraud on the community. He himself had been offered land in that reservation at the rate of $75 for one-eighth of an acre, merely taking Mr. EMERSON'S writing that when he obtained the title to the properity he would transfer it. Numerous lots were sold on these conditions. That reservation contained four townships of the best lands in the Province. He noticed that Mr. ROLESTAN took credit for settling upwards of two hundred immigrants. He met that gentleman on the prairie with about seven or eight families, and he told him (Mr.T.) that it was impossible for him to bring out more, as he had no preparation made to keep them over winter. There was no analogy between the emigrants that the hon. member for Terrebonne referred to and the Menonites. The former class had left this country of their own accord, and it did not involve a great expense for them to come back, and he was happy to say that some 14,000 had returned during the past year. On the other hand the Menonites were coming a great distance, and if once settled they would be likely to remain, and they were first-class settlers. He adverted to the position of the Menonites in Europe, and to the fact that wherever

they went they were the best settlers a country could have. Some thirteen hundred of them had immigrated to Manitoba during the past year. He had the pleasure of meeting a good many of them, and they were perfectly satisfied with the country and with their condition. He doubted whether Canadians from the United States, if settled on the same lands, would be equally content. He hoped the Government would take steps to prevent land monopolies in Manitoba, which was the greatest curse that could afflict that country. There were two sections in each township reserved for the Hudson Bay Company. He was persuaded it would have been much better had that company's claim been purchased outright instead of reserving to them large portions of the land, which retarded settlement. At present some settlers in coming to Winnipeg had to travel through these unoccupied sections held by the Hudson Bay Company. With reference to the proposed loan to the Menonites he was as certain as he was of anything that it would all be repaid principal and interest, for their word was as good as their bond, and moreover the Government were offered the very best security—the security of men in the County of Waterloo worth each from $50,000 to $60,000. He was not opposed to a grant being given to promote the return to this country of Canadians in the United States, for he believed that the Government could not spend money to better advantage than in encouraging immigration.

Mr. ROCHESTER was very much pleased to see this sum in the estimates to aid the Menonites to come to this country, for he believed they were an excellent class of immigrants. They were agriculturalists and that was the class Manitoba required, and the French Canadians who went to the United States were not generally speaking agriculturalists, but most of them were engaged in manufacturing pursuits. However, he did not mean to say that they were not a desirable class of people to have in this country, and he would be glad if the Government could devise some practical plan to induce them to return. There were, however, serious difficulties in the way of granting them public money, because there would be no guarantee that they would remain in this country. He thought some further explanations should be given with respect to the lands that were said by the Minister of the Interior to be locked up, because it was very desirable to have all the lands in Manitoba open to the choice of settlers.

Mr. PLUMB, while not objecting to the loan to the Menonites, expressed his surprise that the land monopolies referred to by gentlemen opposite should be allowed to exist.

Mr. ROSS (Middlesex) said he was somewhat surprised to notice the amendment submitted by the member for Terrebonne. He had thought, judging from the tone of the press, which supported the political views represented on the Opposition side of the House, that the party was still a party of Union and Progress; but here was a resolution of the Government asking for an appropriation of $100,000 for immigration purposes, and yet from the members on the opposite side of the House, who were supposed to belong to the party of Progress, a retrogressive amendment was moved, asking the House to vote only $50,000 for purposes of that kind. As he understood the resources and needs of this country, he was thoroughly convinced there was no policy the Government could adopt which would prove more advantageous to this country, and more calculated to develop its resources, and more on which the progress and prosperity of the Dominion more depends than on a liberal, progressive immigration policy. If we look at the history of the United States, a country that has given us a good example in respect to this matter, we found they had settled their land, developed their resources and become a powerful nation, very much because they were liberal in respect to immigration matters. We were told by statisticians that, if the United States had suspended their immigration policy as far back as 1830, their present population, instead of being 40,000,000 would be something like 14,000,000. If we, possessing such large undeveloped resources, with such fertile tracts of land in the North-West, stated by the member for South Perth at 2,700,000 square miles, with Manitoba, yet unsettled, embracing 9,000,000 acres,—wished to occupy these wild lands, we must not adopt the policy of the member for Terrebonne, but we must rather urge,

even this present Government, that is disposed to be liberal in matters of that kind, to increase their grants for immigration purposes, and, if possible, secure a larger proportion of immigration to this country than has been obtained in years gone by. He wished to call attention to this feature of the question, viz., that the difficulties in obtaining immigrants are greater now than they were some years ago. The social condition of the people in the old countries from which the immigrants come, has improved; the agricultural classes are more comfortable, the cities are not so overcrowded, and wages are high: hence the necessity of a more liberal policy than that adopted some years ago, if we wish to secure a fair share of immigration to Canada. This was abundantly shown by the difficulties experienced in attracting immigrants to this country at the present time. The South American Republics, New Zealand, and the Australian colonies were offering bonuses to immigrants in order to induce them to take ship for those countries, and the Governments of Ontario and Quebec offered similar bonuses; and so the Government of the Dominion could not be less progressive and enterprising than the Governments of those Provinces. This view was further sustained when we considered the results of the immigration to the United States, with all the advantages they offered. The number of immigrants that arrived at New York last year was only 147,620, while in the year previous, 1873, the number reached 268,288, so that there had been a falling off in one year of 120,000, simply for the reason he had given. Now, the Government proposed a tangible and very satisfactory system of immigration. They proposed appropriating a specific sum for a specific purpose, which was sure to accomplish the end for which it was designed. Under the ordinary system the expenditure for immigration purposes might or might not succeed. We send agents out, who, by disseminating information, might succeed in sending immigrants into Canada, but by this system the House would be sure, from information they had obtained, to accomplish the object for which it was appropriated. From the views expressed by the hon. members for South Waterloo and South Perth, there was no doubt that the loan would be fully repaid. But suppose it was not repaid, it would be well to reduce the matter to an arithmetical calculation. In loaning $100,000 for this purpose the annual interest which would be a loss to the country if the loan were not repaid would amount to $5,000. Let the House now observe what the country would realize from that immigration. Suppose 900 families came to this country, comprising 4,000 individuals. Each individual pays to the revenue of the country an average of $6, so that, by settling 4,000 individuals in Manitoba, we would realize $24,000 of annual revenue, which would be placed against a loss for interest on the loan of $5,000. That reduced the matter to figures, and it appeared clear that the proposed loan would be a good investment to the country. He wished to make this general remark in regard to immigration —he trusted so long as this Government asked him to support them in any measures they might bring before the House, he hoped they always would be prepared to adopt liberal measures in the matter of immigration, and by a prudent expenditure of our public money to see that we obtained as settlers upon our Canadian soil the best of the surplus population of the Old World. There was an abundance of land in Manitoba open for settlement, and before many years he trusted that country would be as well settled as any part of Ontario. The Government were entitled to the support of the House in submitting the resolutions which had been placed on the table.

Mr. DYMOND said the hon. member for South Perth was perfectly correct when he alluded to the large German emigration to Pennsylvania, under the auspices of WILLIAM PENN, as being to a considerable extent analogous to that which we are now welcoming to Manitoba. Long before PENN settled in Pennsylvania he visited Germany on two or three occasions, and there inspired with his own desire to found a free colony in the New World a large number of the members of pious German sects who followed him to America, and it was those very men who laid in Pennsylvania the foundation of that great movement against human slavery which resulted in the overthrow of that institution in our own day. He had no doubt that the same love of liberty and peace characterized the Menonites in Manitoba that was so distinguishing a feature

of those who took shelter under the broad brim of WILLIAM PENN. He did not, however, rise to say much with reference to the Menonites, but to offer a few general observations on the position of the emigration question at this time, and to say that he considered that no wiser step could have been taken by the Government than to place the management of the emigration movement in Great Britain in charge of a gentleman of such large intelligence and high social position as our present agent, Mr. JENKINS. That gentleman was thoroughly in accord with the great laboring classes at home, which was the first essential of any representative of this country in Great Britain. If, seven or eight years ago Canada had been represented in Great Britain by a gentleman of Mr. JENKINS' capacity we would not now be comparing 39,000 with 50.000 immigrants, but would have probably been welcoming 100,000 souls to our shores annually. No man could estimate more highly than he (Mr. DYMOND) did the honest desire to serve his country exhibited by the hon. member for Compton. When in office that hon. gentleman was kind enough to converse with him on several occasions as one who was acquainted with public opinion in the Old Country, with a view of obtaining from him (Mr. DYMOND) any suggestion on the subject of emigration. He would venture to say that if that hon. gentleman had been supported when he first entered office, as his successor had been, the results would have been far more satisfactory to himself. During the first two or three years after Confederation there were great opportunities of adding to our population from the people of the Old Country. They all remembered the period of distress that prevailed in 1866. Numerous benevolent societies sprung into existence at that epoch, and men were assisted by thousands to our colonies; but that was to a very large extent an indiscriminate emigration, composed of those who, if not actually of the pauper class, were but a few degrees removed from it—they were the poor struggling classes of the cities. Now, if Canada had possessed in the Mother Country a gentleman—not merely such an officer as Mr. DIXON, who was an honorable and industrious man, but whose whole ideas were limited to his office—but a man with something like plenary authority to make arrangements in all directions for the promotion of emigration, then we would have had far more to boast of than we have to-day. It would be remembered by the hon. member for Compton and his friends, that about the time he entered office there appeared in a paper, supporting the late Government—the Montreal *Gazette*—a most scathing criticism upon the inertness and mismanagement of the Immigration Department. He was aware that the hon. gentleman, the late Minister of Agriculture, effected considerable reforms, and that emigration received from that moment a certain stimulus. But the credit of that was not entirely due to the hon. gentleman. A new government, with broad and enlightened views, had entered into power in Ontario; from that moment it was certain that a liberal emigration policy would be pursued by the Upper Province, and it was necessary therefore, if the Government at Ottawa would not lag behind, that they should offer the right hand to the Ontario Administration and assist them in carrying out an enlightened immigration policy in the interest of the whole Dominion. With respect to Mr. JENKINS; he had been attacked on account of certain speeches he had made. If we could induce the people of Great Britain to think about Canada, three-fourths of the work would be done. Six or seven years ago, when he (Mr. DYMOND) was in England, Canada was almost a sealed book to the great mass of the people. The most absurd stories were told about this country, and even educated men had the most extraordinary impressions concerning it. He remembered a person of very considerable education who expressed the opinion respecting gentlemen who had been in the country twenty-five years, that he was probably by that time quite equal to conversing in the Indian language. But Mr. JENKINS moving from city to city, not as had been incorrectly suggested during the time he was required in the London office but during the winter months when there was little doing in emigration matters at the metropolis, gathered together the men of Manchester, Liverpool, Birmingham and the great towns, and his speeches being reported through a daily press that had an aggregate circulation probably of from 500,000 to 600,000 copies per day, we could not exaggerate the benefit which those speeches might confer on Canada. An important speech

delivered some time ago in Toronto, by HIS EXCELLENCY the GOVERNOR GENERAL had been copied into all the newspapers in England, that too was the speech of a man of intellect and education whose words were listened to with respect not merely because they were eloquent, but because they described what people wanted to know, the social and political condition of Canada. It was not simply by the labouring classes, but also by the aid of those who called themselves the upper classes in England that we were to make Canada known on the other side and obtain the co-operation of the British people. With respect to colonization schemes and the various proposals to bring out colonies to Manitoba, he deemed it to be of the utmost importance that our representative should possess judgment and ability, and occupy a sufficiently high position in the country to influence in the right direction proposals of that kind. There was nothing about which men were more Quixotic, nothing in which men were more likely to fail, than in conducting emigration schemes. The reason why the Menonite colonies had been successful was to be found in the fact that the people were bound together by religious and social ties, and stood shoulder to shoulder in every difficulty. If the Government loaned $100,000 to the Menonites of Manitoba, the whole community wes pledged morally to repay it. If the hon. member for Terrebonne could bring forward a colony composed of people who possessed the same qualities; who would afford the same evidence as that given by the Menonites, that the immigration would be successful, then every hon. member would be anxious to assist him. But he (Mr. DYMOND) did not believe that, except here and there under peculiarly able management and peculiarly favorable conditions, colonization schemes would succeed. Immigration must be made, to a large extent, a matter of voluntary effort. We must throw open the country to individual immigration. We must teach people what the conditions of success are, we had got to provide them with the necessary machinery for reaching their destination, and if we only kept Canada well before the outside world, and the people of Great Britain, no doubt, many of our errors and omissions of the past would be forgotten, and we would reap an ample reward for every dollar we expended.

Hon. Mr. HOLTON moved in amendment to the amendment: "That all the words after 'that' in the amendment be left out, and the following be inserted, 'The following words be added to the motion: But this House will cheerfully assent to any measure which may be proposed by the Government to encourage the settlement of native Canadians now living in the United States on the waste lands of the Dominion.'" He said there could be no objection on the part of the House to express its readiness to entertain favorably any proposition submitted by the Government, looking to the encouragement of the settlement of the waste lands of the Dominion by native Canadians now residents of the United States. He thought the proposition of the hon. member for Terrebonne to reduce the appropriation under discussion was an exceedingly illogical one. He could have understood the force of the argument that might be urged in favor of rejecting the vote. It was a novelty no doubt in our Legislature to advance money for such a purpose. The object, however, was admitted on all hands to be a praiseworthy and advantageous one, and therefore to reduce the appropriation sought by the Government, was illogical in the last degree. He had hoped that the member for Terrebonne, yielding to what appeared to be the sense of the House, would have withdrawn the motion on receiving an expression of the opinion of the Government of their readiness to consider the claims of the parties to whom the hon. member for Terrebonne referred; but as the hon. member did not see fit to do so, he, (Mr. HOLTON) submitted to the House that proposition, which he held to be infinitely superior to the amendment, because it left the appropriation now under consideration untouched.

Mr. PALMER thought the amount proposed to be loaned to the Menonites should be appropriated. The Government expended an excessive sum for Military purposes, and the Military camps had demoralized many of our young men.

Mr. MASSON said the Minister of the Interior, in discussing this question, had stated that the township system in the North West was a failure. Nevertheless the Government did not abandon it, and

they were at present negotiating with a party to continue it.

Hon. Mr. LAIRD said the negotiations with Mr. SHANTZ were made last spring before they knew the result of the township system.

Mr. MASSON said he believed the Menonites should be encouraged to come to this country. He had attained the end he desired, and he complimented the hon. member for Chateauguay on having told the House that his (Mr. MASSON'S) position was the correct one. He would have no objection to vote for the motion.

M. TREMBLAY: Si l'on jette la vue en arrière, on se souvient que le député de St. Hyacinthe proposait à l'ancien Gouvernement de prendre les moyens pour arrêter l'émigration aux Etats-Unis, et le Gouvernement, composé des amis de l'Opposition, était sourd à sa voix et à la voix de tout le parti libéral. L'hon. Député de Terrebonne a fait allusion aux moyens que le Gouvernement de Québec a pris pour repatrier les Canadiens-Français. Je vois que l'organe de l'hon. Député de Terrebonne et de ses amis est opposé à ce projet, à ce point du moins qu'il ne croit pas à son succès. Je vais lire un passage du *Nouveau-Monde* qui prouve cet avancé, ce journal pensant évidemment que les Canadiens émigrés qui sont habitués à travailler dans les manufactures ne seront pas tentés de venir s'établir sur des terres en bois debout. Le *Nouveau-Monde* dit donc:—

"Bas-Canadiens nous-même, nous préfé-
"rerions naturellement que ce repatrie-
"ment se fit surtout dans la Province de
"Québec, d'autant plus que c'est elle qui
"a le plus souffert de l'émigration. Mais
"nous savons qu'un certain nombre qui
"ne voudront pas entreprendre de défri-
"cher les terres en bois de bout offertes
"par le Gouvernement de Québec, seraient
"disposés à aller s'établir sur les terres en
"prairie du Manitoba, et ne pouvant les
"ramener directement dans notre provin-
"ce, nous préférerions encore de beaucoup
"les voir se diriger vers une partie de la
"Puissance, que de les voir rester sur le
"sol étranger des Etats-Unis."

Le passage que je viens de citer prouve qu'il n'est pas certain, dans l'opinion de l'organe même de l'Opposition, que le projet du Gouvernement de Québec réussisse. Je doute moi-même que les $50,000 accordés par le Gouvernement de Québec, pour les fins du repatriement, soient utilisées par les Canadiens des Etats-Unis. Je doute également que si le Gouvernement d'Ottawa joint ses efforts à ceux du Gouvernement de Québec, je doute qu'il puisse réussir dans son louable projet, et ce qui produit ce doute chez moi c'est que les Canadiens des Etats-Unis sont plutôt adonnés au travail indutriel, qu'au défrichement des terres et aux travaux de l'agriculture. Quant aux Mennonites, je ne puis qu'approuver le Gouvernement de leur donner l'encouragement nécessaire, parce que, venant à l'invitation et sur la recommandation des Mennonites qui habitent le pays, c'est une garantie que leur établissement dans Manitoba sera permanent. Je n'ai aucun doute du reste que les $100,000 seront remboursés, si je dois en croire les renseignements que j'ai eus sur les garanties offertes au Gouvernement et acceptées par lui.—Mais le Député de Terrebonne semble par sa motion, nourrir le dessein de dépeupler Manitoba. En cela, l'hon. Député de Terrebonne est malheureusement consistant dans la politique de destruction qu'il a suivie depuis plus d'un an à l'égard de la Province de Manitoba. Oui, je maintiens que la politique du Député de Terrebonne à l'égard du Manitoba est une politique de destruction. Le Député de Terrebonne était à peine rendu à Manitoba l'été dernier, que RIEL était mis hors la loi, LÉPINE poursuivi et condamné à mort et les populations de l'Ouest livrées à l'inquiétude et placées sur un volcan de dangers et de ressentiments. Et maintenant, poursuivant sa politique de destruction, le Député de Terrebonne voudrait dépeupler la Province qu'il prétend défendre et protéger! L'hon. membre pour Terrebonne veut me faire rappeler à l'ordre, je comprends pourquoi il n'aime pas à voir dévoiler sa politique perfide et trompeuse à l'égard de Manitoba. Mais je ne crains pas de le répéter: la politivue du Député de Terrebonne est une politique de destruction, car il a été encore plus loin, et il a même essayé d'une manière indirecte et directe, de priver le comté de Provencher d'un représentant dans cette Chambre. Il est donc évident que le Député de Terrebonne ne veut pas la prospérité de Manitoba, et que c'est dans cet esprit qu'il s'oppose aux bonnes intentions du gouvernement pour peupler Manitoba et y conduire un courant d'émigration

canadienne-française, si la chose est possible.

Mr. CAMPBELL (Victoria) asked if there was any understanding with these Menonites by which they were to be treated differently from other settlers. He thought it would be a misfortune for us to expend the public money in bringing them to Canada if they were to be governed by separate laws. We had a long line of frontier which could only be protected by our people, and none of them should be exempted from military service in time of trouble and invasion. There was no doubt, though, that our great North-West should be settled. With reference to the re-patriation of Canadians who had gone to the United States, he believed the best way to get them back and to keep our own people at home was to amend our tariff. Through the importation of coal free of duty, the owners of the coal areas in Nova Scotia could not keep men in their mines. Instead of settling Manitoba with Menonites, he thought it would be better to send to the hills of Scotland and Ireland and bring out a hardy people who, in time of need, would help to fight the battles of the country. If the Government would amend the tariff so that our people would be enabled to live with us, instead of going to Washington to beg for a reciprocity treaty, they would meet the views of the country.

M. DESJARDINS: Je ne suis pas surpris que le Député de Charlevoix ait fournie une nouvelle preuve que ses assertions sont quelquefois plutôt supportées par son imagination que par les faits. Quant à la proposition du député de Chateauguay, provoquée par l'amendement à la motion ministérielle, je crois que nous devons être satisfaits si nous pouvons faire reconnaître par cette honorable Chambre, le grand et important principe que ceux de nos concitoyens qui ont émigré à l'étranger, parce que dans un certain temps il pouvait y avoir des raisons qui les engageassent à s'éloigner du pays, ont droit aux mêmes termes et aux mêmes priviléges que ceux qui ont été accordés ou qui seront accordés aux émigrés des pays européens. Il est évident que nous aurons plus d'avantages à ramener au pays ceux qui sont habitués à nos lois, à nos institutions, à nos mœurs, et qui sont désireux de venir reprendre leur place au foyer de la patrie, qu'à payer de larges sommes à des étrangers qui ont des habitudes, des lois et des coutumes différentes et même contraires aux nôtres. Sans vouloir dénier les qualités des Mennonites, je trouve cependant qu'ils ont des prétentions assez singulières pour provoquer un examen de quelques-unes des conditions de leur marché avec le gouvernement. Si un groupe aussi considérable d'émigrants désire l'aide de notre gouvernement, il semble bien juste qu'il supporte toutes les charges que subissent ceux qui n'obtiennent pas de tels priviléges ou des priviléges équivalents. Est-ce que quand on veut devenir citoyen de notre pays, on ne doive pas être prêt à le défendre s'il est attaqué? Je ne comprends pas que le gouvernement encourage d'un côté l'organisation militaire et d'un autre côté l'immigration de gens dispensés du service militaire, excepté qu'on veuille faire monter la garde autour des établissements Mennonites et les protéger dans les cas de danger. Je crois que l'encouragement accordé par le gouvernement est un peu hazardé et qu'il ne convient guère de nous demander de l'argent pour ces gens, et, de plus, de les défendre au besoin. En résumé, j'espère que la position prise par le député de Chateauguay et qui je n'ai aucun doute, sera appuyée par la Chambre, engagera le gouvernement à seconder le mouvement de repatriement de nos compatriotes émigrés aux Etats-Unis. J'ai entendu exprimer des doutes sur le caractère sérieux et efficace du mouvement de repatriement aux Etats-Unis. Je crois au contraire que ce mouvement s'accentue de plus en plus et qu'à mesure que le gouvernement local et le gouvernement fédéral offriront des avantages et des considérations suffisantes à nos compatriotes des Etats-Unis, on les verra revenir en grand nombre au pays. Je n'en veux pour preuve que le mouvement qui s'est fait dans la Province de Québec depuis le mois de juin dernier. Mais on objecte que les Canadiens des Etats-Unis sont plutôt qualifiés pour le travail agricole. Cela est vrai jusqu'à un certain point des Canadiens habitant les états de l'Est. Mais dans les états de l'Ouest, il y a un nombreux groupe de Canadiens-français qui n'ont jamais suivi d'autre carrière que celle de l'agriculture et qui sont très désireux, si je suis bien informé, de s'établir sur des terres au Manitoba. D'ailleurs, dans les Etats de l'Est même, l'immigra-

tion venue au Canada s'est recruté pour le plus grand nombre de nos compatriotes de la campagne qui lorsqu'ils habitaient ce pays, se livraient aux travaux de l'agriculture, et on a vu plusieurs canadiens revenus au pays, se livrer de nouveau à la culture du sol et montrer qu'ils n'avaient pas oublié leur premier métier. En terminant je soumets de nouveau à cette honorable Chambre l'à-propos d'adopter la motion du député de Chateauguay, qui devra décider le gouvernement à encourager nos compatriotes des Etats-Unis à revenir prendre leur place sur un sol qu'ils ont été les premiers à défricher.

Mr. FARROW said there was an old saying that one volunteer was as good as a half dozen pressed men, and the same principle was true in immigration. He believed that one man coming voluntarily to our shores from any country, was worth three times half a dozen paid immigrants. Not that he (Mr. FARROW) declaimed against this amount in the estimates, but he liked the amendment to the amendment much better than the amendment itself. Our forefathers had to encounter numerous difficulties in crossing the Atlantic and settling in Canada. Now the difficulties were so few that it was easier to travel from Southern Russia to this country than it was for the early settlers in Canada to come from England and Ireland. The amendment did not go far enough. He would be willing to support a scheme that would re-patriate Canadians now living in the United States, and to keep them here when they return. We have an overplus farming population in Ontario. Many farmers could not procure land for their sons, who crowded into the towns. There were too many of them there, and they were starving. These men should be encouraged to settle in Manitoba, and why should not the amendment provide for this as well as for bringing back the recreant ones from the United States. Let us say we would pay their passage to the Red River country, and give them an opportunity to settle there. The hon. member for North York had asserted that seven years ago Canada was a sealed book so far as information concerning it in England was concerned. He (Mr. FARROW) was brought up in a rural district, and left the Mother Country twenty-five years ago; yet at that time he had a good knowledge of what Canada West was, and was aware that the education of the people here was higher than in the Old Land. Therefore it came with a very bad grace from the hon. member to represent Englishmen as such an ignorant people. The hon. member for West Middlesex had spoken about the United States policy of immigration as being a most liberal one, and that thousands were drawn to that country thereby. How did they get these people? By building railroads throughout the country, and railroads from the Atlantic to the Pacific, opening up their territories and settling them. That was what the late Government proposed to do, and in anticipation of the opening up of the North-West by the Pacific Railroad 50,000 emigrants settled in the country in 1873. If the present Government had closely followed up the policy of their predecessors, instead of the 39,000 who came to the country last year, we would have had double that number. The sooner our country is opened up by a railroad the better for the Dominion, and we shall see a great influx of population from Europe to our great North-West. The falling off in the emigration to the United States last year was due to the depression which prevailed in that country. He was not against this item, but he wanted to know when it was going to be paid, to whom it was to be paid, and when it was to be re-paid. If these Menonites possessed such high moral characters, they should be imported as patterns, and $100,000 was a small appropriation for the purpose.

M. POULIOT: Je suis content que les messieues de l'autre côté soient satisfaits et je suis de l'avis qui domine maintenant des deux côtés de la Chambre, que l'immigration soit encouragée au Manitoba et qu'un aide supplémentaire devrait être voté dans ce sens. J'ai entendu dire que la difficulté consistait dans l'incertitude que les Canadiens resteraient au Canada ou la crainte qu'ils retourneraient aux Etats-Unis. Je n'ai aucune objection, M. l'ORATEUR, à ce qu'on prenne toute précaution à ce sujet; mais en même temps je prétends que ces précautions doivent être prises avec toute autre émigration. Car il arrive, M. l'ORATEUR, que l'émigration européenne, qui nous coûte si cher, passe à nos portes sans s'arrêter et ne fait

le profit que des compagnies qui la transportent. La discussion de ce soir a eu l'effet de renforcer la position du gouvernement à ce sujet et de l'éclairer sur les désirs du peuple et de la Chambre, relativement à un autre point, qui est celui-ci : M. L'ORATEUR, cette Chambre et le pays sont évidemment en faveur d'une diminution des dépenses de la milice, et la réduction qu'ils demandent ils sont désireux de la voir appliquer à encourager l'immigration et la colonisation, et je n'ai aucun doute que le gouvernement viendra l'année prochaine proposer une réduction à cette Chambre des dépenses de la milice et une augmentation des subventions pour l'immigration et la colonisation. Le gouvernement a exigé une garantie pour les $100,000 qu'il a avancées, mais je crois bien qu'il ne la demandera pas, comme cela arrive généralement dans ces cas, et je ne demande pas que le gouvernement réclame jamais cette somme. Mais ce que je désire c'est qu'on ne l'applique pas à nourrir des cadets, à faire l'exercice dans les camps, mais à encourager l'immigration et la colonisation. Je crois que le gouvernement en encourageant l'émigration des Mennonites, a montré qu'il était un gouvernement pacifique, car on sait que cette population est tout-à-fait opposé à la guerre et se refuse au service militaire. Nous pouvons sans danger devenir Mennonite pour le quart-d'heure, et si le cas se présente, les Canadiens sauront faire leur devoir, comme en 1775 et en 1812. Je me résume, M. l'ORATEUR. 1o. Je désire qu'on encourage l'immigration canadienne au moins au même dégré que l'émigration Mennonite 2o. Je désire qu'on exige des garanties pour la résidence permanente des Canadiens qui en autant qu'on les exige des autres émigrations; 3o. Enfin, je suis d'avis que l'on diminue les dépenses militaires et qu'on augmente d'autant la subvention pour les fins d'immigration et de colonisation.

Mr. KERR feared we were in danger of under-estimating rather than of over-estimating the importance to this country of the great question of immigration. We have a magnificent country, but its magnificence can be greatly improved. It is not our broad lands nor our broad expanse of waters, nor our noble rivers simply that make a great country. These broad lands must be filled up with an industrious and a moral people. The present Government were entitled to the special support and thanks of the people of this country for the wise and liberal policy which they were about to inaugurate in the matter of immigration, and the House should not hesitate for a moment in cheerfully making this appropriation. No given sum of money could be better expended than for the purpose of bringing from the Old World a thrifty and hardy people to develop the resources of our country. He was glad that the Menonite experiment had thus far proved a success. He was glad to find that in their thrift and morality they resembled the Society of Friends, who were as thrifty a people as ever inhabited any country, and though they might be referred to occasionally in terms not quite as complimentary as they should be, he did not think it was any discredit to them to love peace rather than war. Though he would not go as far as the hon. member for South Ontario went the other day, he sympathized to a large extent with the wholesome sentiments that gentleman saw fit on that occasion to express. He did not believe it was necessary to expend an unmeasured sum annually in this country in keeping up a military establishment. He did not stop to enquire when this appropriation was to be paid or when it was to be re-paid. This House was not running any great risk in advancing $100,000 when they knew that there was undoubted security for its re-payment. He favored the re-patriation of Canadians who had left their native land for any lawful cause whatever. He would even welcome back the Americans to the protection of the Union Jack, believing that our institutions were better than theirs. He was sorry to hear it observed during the course of this debate that our Quebec agriculturalists were not considered to be as thrifty as those of the other Provinces. His impression, after travelling through Quebec was altogether different. He had seen farms in the highest state of cultivation, and he was assured by a gentleman from that Province that there were many instances where farmers on small patches of land supported families of from ten to fifteen children. This question of immigration should be discussed irrespective of creeds or nationalities, and while he held a seat in this House his aim would be to consider all public questions free from prejudices of race or party. The people of

the North-West were looking most anxiously to the action of this Parliament on the policy under consideration, and they yearned for a large accession to their thrifty and law-abiding population. He was glad to find that the Government did not make a mistake in their policy of last year, and that they had decided upon taking another step in advance. The statement that Canada was a sealed book to a great portion of the European world might not be literally but it certainly was comparatively correct. It was surprising to find even among the more intelligent class in England itself, what an amount of ignorance existed with regard to the great resources and advantages which this country offers to settlers. Let us lose no opportunity to bring by every lawful means this country's advantages before the eyes of all intelligent Europeans. Then could we say in the words of the poet :—

" Our country, 'tis a glorious land
With broad arms stretched from shore to shore ;
The broad Pacific chafes her strand
She hears the dark Atlantic's roar.
And nurtured on her ample breast
How many a goodly prospect lies :
In nature's wildest grandeur dressed,
Enamelled with the richest dyes.
Great God ! we thank thee for this home,
This bounteous birth-land of the free ;
Where wanderers may find a home
And breathe the air of liberty.
Still may her flowers untrampled spring,
Her harvests wave, her cities rise ;
And yet, till time shall fold his wing,
Remain earth's loveliest Paradise."

Hon. Mr. CARTWRIGHT, in reply to Mr. FLESHER, explained that the Government proposed to take security from certain wealthy farmers for the re-payment of this sum advanced to the Menonites, so that, although it appeared in the estimates as an annual charge, the expenditure would be nothing more than the interest on this amount for three or four years. If we could get 35,000 souls for that, it would be an extremely profitable investment. These Menonite families would settle in Manitoba, and he did not think there was the slightest risk, after coming such a great distance with their families, that they would encounter the risk and expense of a second removal to a distant part of the United States, unless for a good cause indeed. It must be left to their own discretion to remain in the country or not, but from all the Government knew of these Menonites, and the peculiar circumstances under which they came to this country, the risk of losing them was very slight indeed.

Hon. Mr. POPE was sure the hon. member for Terrebonne would feel very much gratified with the result of his resolution. He was exceedingly gratified for many reasons. In the first place it brought out the hon. member for Chateauguay, a gentleman who, when he (Mr. POPE) proposed to ask this House for a sum for immigration said the bubble would burst and there would be an end of. The hon. member now placed a motion on the paper which showed that the bubble had not burst, and the altered tone of this House from what it was a few years ago would convince every one that the course he felt it his duty to pursue had succeeded. He would support the amendment of the hon. member for Chateauguay, for the same reason that he supported this proposal to advance a loan to the Menonites. It was important to bring the Menonites into our country, but it was no less important to bring back Canadians from the United States. The Government had no right to say at this time that the township system in the North-West had proved a failure. The ROLSTAN reservation was 150 miles west of Manitoba, and would form a nucleus for future settlement. The Finance Minister had stated that immigration showed a decrease last year in this country as in the United States, and for the same reason. He thought that was a mistake. Canada had shown no decline in prosperity, and there should have been an increased immigration in consequence of the troubles among the agricultural population of the Mother Country. There were other reasons, and, as far as he could learn, one of the principal was that the powerful agency of the steamship people, numbering some twelve hundred persons, had not been employed as it should have been. These agents were scattered throughout Europe, and by offering a small commission to them they could be employed to send emigrants to our shores.

Mr. PATERSON said this item involved a new departure in the legislation of this country—the principle of protection. He looked upon this as a matter of business, and he believed the

management of the affairs of a nation should be conducted on business principles. The Government should extend no special privileges to any religious sect or creed, and he did not believe they intended to do anything of the kind; they merely treated with these people as a colony. Now, were they adopting a correct principle. Was it right to recognize that protection shall be extended to this colony in order to settle our country. He was happy to see that the Government believed that special advantages might be given to the people of this country in order to increase its prosperity and develop its resources. The country was paying a bonus of $25 per head for those they were bringing into the land, or rather were contributing the interest on that amount for three years. He believed the adoption of this principle would pay, and he heartily sustained the Government policy. He found no difficulty in supporting the amendment of the hon. member for Chateauguay. The same privileges should be extended to Canadians that were granted to the Menonites. For some years, at least, the country would be bound by this principle, and Parliament would have to appropriate money on the same terms to all comers. He would support the item with pleasure, and he congratulated the Government on having at last adopted the principle of protection, thus offering larger inducements than any other nation, to those who wished to settle in the country.

Mr. SINCLAIR observed that no immigration agent had been appointed for Prince Edward Island. In his judgment the grant was by no means too large; indeed it was not large enough. It was not merely that the Government had assurance that the money would be re-paid—and even if it was not paid the country would receive value for it—but if one hundred thousand immigrants were settled in the North-West it would obviate the necessity of keeping up at great expense the Mounted Police. It was a pity that either the amendment or the amendment to the amendment should have been moved, because it was perfectly unnecessary to say that they would all be glad to see our fellow-countrymen who were in the United States, whether they were French or English Canadians, come back to this country.

The amendment to the amendment was then put and declared carried.

Items 48 and 49 were concurred in without discussion.

On item, $50,000, to meet the probable amount required for pensions to veterans of the war of 1812,

Mr. ROSS (Prince Edward) congratulated the Government upon their determination to recognize the services of the veterans of 1812, who deserved well of the country. There were a number of these veterans in his own county, from some of whom he had received letters, and he now desired to learn how it was proposed that application for a share in this grant should be made and the time within which it must be made, and whether blank forms would be supplied.

Hon. Mr. VAIL said this matter had not yet been fully considered by the Government, and it was impossible that it could be considered for several weeks. The Government were getting a list of those who applied to the Imperial Government for pensions, when it was believed that the Canadian veterans of 1812 would receive their share along with the survivors in the regular army. His own personal view was that it would be necessary that boards should be appointed in the various military districts composed of militia officers resident therein, whose duty would be to collect proofs that the applicants were really entitled to a pension and to report the same to Government. His hon. friend might rest assured, however, that the whole subject would receive the early and best attention of the Government.

Mr. ROSS (Prince Edward) said the Government should take the matter up at once, for it was unnecessary to remind them that nearly all the survivors of 1812 were over 80 years of age, and the time within which their services could be recognized in the way proposed, was necessarily very limited, as these veterans were passing away each year. He wished to know whether it was intended that this should be an annual grant.

Hon. Mr. MACKENZIE stated that the grant would be continued annually during the lives of the pensioners. He might add that the Government would require some evidence that applicants had seen actual service in the war of 1812-14. There could be no serious difficulty in ascertaining who were entitled to pensions

and who were not, and blank forms would be furnished to intending applicants.

Hon. Mr. CARTWRIGHT remarked that the claims of many of these veterans could be ascertained from the fact that they had received grants of land for which patents had been issued in their own names.

Mr. SNIDER said that some of these veterans who had done good service for their country would have considerable difficulty in satisfactorily establishing their claims, in consequence of all the officers of their regiment and, in fact, all who served along with them having passed away. There was an example of this fact in his own part of the country, where there were but two survivors out of one company. He had received several letters on the subject, one of them from one of the two veterans he had referred to, who had served as an officer during 1812-13, and from the information contained in that letter he (Mr. SNIDER) had little doubt that this gentleman would have a good deal of difficulty in proving his connection with the service.

Mr. BROUSE agreed that there would be a good deal of difficulty in many cases with regard to proof of service. The other day a gentleman ninety-four years of age had travelled three hundred miles to prove his service, and he (Mr. BROUSE) believed that many of those who were really entitled to assistance were so old that they had forgotten the names of those who served along with them, and indeed except the fact that they had served and where they had served they could give little information that would establish their claim. He agreed with the member for Prince Edward that what the Government intended to do should be done soon. No less than four of those who had applied to him last summer and who to his own knowledge had served in the war had recently died. He considered the Government should not be so particular about proof, and as an instance of how the Imperial Government had dealt with the men in that position, he stated that one man with whose case he was conversant had applied to Chelsea Hospital for a pension, and upon his furnishing the name of the surgeon of his regiment, who was the only person connected with it of whom he had any remembrance, he got a warrant for £20 at once, and a promise of £30 annually for his life.

Hon. Mr. VAIL said it was very clear that some proof was requisite. The Government could not be expected to pay money indiscriminately to every man over 80 years of age, who came and told them that he was a veteran of 1812.

Mr. ROSS (Prince Edward) inquired whether part of the grant would be paid to the widows of veterans.

Hon Mr. VAIL replied in the negative.

On item 51, $8,000 compensation to pensioners in lieu of land,

Mr. ROSS (Prince Edward) called attention to the fact that the widows of the pensioners under this head obtain a share of the compensation. He considered that the widows of veterans of 1812 who died three months ago, were as well entitled to compensation.

Hon. Mr. CARTWRIGHT said the item was statutory and was not an annual vote. He thought the payment of pensions under this head was a transfer from the Imperial Government.

The item was concurred in.

On item 52, $36,000, salaries to the Militia branch and District staff,

Mr. BOWELL asked if the hon. Minister of Militia could afford the information promised in regard to this item.

Hon. Mr. VAIL said that if the hon. member would turn to the Public Accounts he would find all the details in connection with their vote and the allowances to the Deputy Adjutant Generals. He did not know that the Government would continue to make the allowance, but they would at least consider the matter.

Mr. BOWELL said it was owing to the fact that he had seen those items in the Public Accounts that he was led to make the inquiries. He knew that those amounts had been voted since 1867, but he had always doubted whether they were according to law; and he now again inquired why they were voted.

Hon. Mr. VAIL said that the item of $534 was the fifteen per cent. bonus given by the late Government; the $666 was the salary of the Deputy Adjutant General at headquarters.

The item was concurred in.

Item 53 was concurred in without discussion.

On item 54, $40,000, allowance for drill instruction,

Mr. THOMPSON (Haldimand) said that a large proportion of the grant was paid to drill instructors, who never did anything. He called the attention of the hon. Minister of Militia to this fact, so that he might make the necessary inquiries.

Hon. Mr. VAIL said the subject had already engaged the attention of the Department, but after the remarks of the hon. member it would receive additional attention, with a view to ascertain if any improvement could be effected.

On item 55, $40,000, Military College,

Hon. Mr. MACKENZIE said, in reply to Hon. Mr. MITCHELL, that the salaries of the commandant and officers of the college were fixed by the Act of last session.

Mr. DOMVILLE asked for information as to the object and details as to its management.

Hon. Mr. MACKENZIE said he could afford no further information than was contained in the statute of last session. He trusted he would not have to read the statutes for the hon. member.

Mr. McMILLAN said he was one of the members who was not in the House last session, and he considered it was most unfair, when information of that kind was asked, that members should be referred to the Acts of last session.

Hon. Mr. BLAKE said the law of the land was within the hon. gentleman's cognisance even if he were not a member of the House last year.

Hon. Mr. MACKENZIE then read the statute referred to.

The item was concurred in.

On item 56, $40,000, ammunition,

Hon. Mr. MITCHELL complained that the members of the Government treated the Opposition unfairly in the matter of giving information. He had no desire to obstruct the progress of the public business, but when a question was asked by an hon. member on a subject affecting the public interest, he thought it should be answered civilly. It was the only means the members of the Opposition had of justifying themselves in agreeing to vote the money asked by the Government.

Hon. Mr. MACKENZIE said the Government would be most happy to give all the information required by hon. gentlemen on the other side, and he was not aware that any question had been asked which was not fully answered.

The item was concurred in.

On item 57, $75,000, clothing,

Hon. Mr. CARTWRIGHT, in reply to Mr. PLUMB, said there were some 30,000 volunteers to whom it was necessary to furnish clothing, and upon the principle of giving the new uniforms every three years, an average of ten thousand each year were required.

Mr. WRIGHT (Pontiac) enquired whether it was the intention to alter the style of the uniforms in any particular. He called the attention of the Minister of Militia to the report of Colonel JACKSON, in which the present forage cap was described as neither fit for winter or summer wear, and the difficulty of enforcing its use so great as to be absolutely a hindrance to proper military subordination. The recommendations of the gentleman referred to were worth being carefully considered.

Hon. Mr. VAIL said the question of a change in this portion of the uniform had given rise, he noticed, to considerable discussion outside, and was worthy of consideration.

On item 58,

Hon. Mr. CARTWRIGHT said, in answer to Hon. Mr. MITCHELL, that the Government had closed their account with the Imperial authorities. The hon. gentleman would see that there was no supply from that quarter, and that there would be none after this. Although the item appeared an increase, practically it was a great reduction.

The item was concurred in.

Item 59 was also concurred in without discussion.

On item 60, $375,000, drill pay and other expenses connected with the training of the militia,

Mr. PLUMB asked whether it was the intention of the Government that there should be volunteer camps this season. He remarked that one of the finest reservations for military purposes owned by the Government had been alienated from its original purpose, and that negotiations were going on for the sale of a portion of it.

Mr. ROSS (Prince Edward)—Before the question of his hon. friend was replied to, said he did not think that the military

camp system was satisfactory to the country. He had himself had a good deal of experience in military drill, and he thought it was better that it should be conducted as a rule at the headquarters of battalions and companies. In this way the men were not taken away from their homes, as under the old system they frequently were, at the very busiest season of the year. Those who went to camp were formerly raw, untrained lads, and he thought that for the first and second years at least they should be drilled in battalion and company head-quarters, and, perhaps, it might be proper that they should go to camp the third year.

Mr. THOMSON (Welland) said there was no land reserved at Niagara for military purposes that had been alienated or any that was proposed to be alienated. There was a strip of land which at one time was transferred to the Erie and Niagara Railway Company, but which, under the circumstances in which the company found itself placed, had not been used, but the title had lapsed to the Government. Since the railway had become a more prosperous corporation he, as President, had asked that the lands should again pass into the hands of the company, as it was intended to use the frontage for dock purposes and the remainder for pleasure grounds.

Hon. Mr. VAIL, in reply to the question by the hon. member for Prince Edward, said that the Government had not decided whether they would confine the drill this year to battalion and company head-quarters or whether they would have a camp. Personally, he agreed with his hon. friend that it would be better for the first two years to have the drill done at battalion head-quarters.

Hon. Mr. MITCHELL again protested against the expenditure of the amount proposed for military purposes.

Mr. OLIVER, on behalf of the young men of the country, declared that it was small encouragement to those who had expended much time and money in qualifying themselves for service to be told by hon. members that the proposed vote was enormous. We looked to the volunteers for our protection in time of danger, and thought that those men who had exposed themselves to danger and privation in the defence of Canada should be treated with the respect to which they were entitled. He considered the amount proposed to be appropriated was the smallest that could be granted, and although he was not a military man he would be willing to vote for a larger sum. There was one point, however, which was deserving the attention of the hon. Minister of Militia, viz.; that one million of dollars would not be sufficient to defray the expense of drilling 40,000 volunteers, and that if only 20,000 could be drilled annually, the balance would be dissatisfied. He suggested the desirability of forming independent cavalry companies, for many young men would be quite prepared to organize such companies, provided the Government supplied them with arms.

Mr. ORTON agreed with the hon. member for North Oxford that it would be well to keep up the military spirit of the people, and although, happily owing to the Treaty of Washington, there was no probability that we would require our volunteers for any warlike purpose for many years to come, it was through the influence of that spirit that we were recognized as a people and a nation, and he hoped that the people in this Dominion would unanimously endeavor to keep up their martial spirit. He endorsed to a certain extent the opinion of the hon. member for Prince Edward in regard to drills, and said that the fact of men having to leave the vicinity of their homes hindered many of them from joining the volunteer forces. He strongly advocated some mode of recognizing the services of those volunteers who had been connected with the force for fifteen years and upwards. We had passed through times of danger and those men had always been ready to go to the front, and he thought that in some way their services should be recognized.

Mr. GOUDGE endorsed the sentiments of the hon. member for Prince Edward, and observed that it was the opinion of practical men that camp drill as it had been conducted in the past have been productive of very little good, and that company drill at headquarters would make the men equally efficient. If we were to have a military system it should be as perfect as possible, and while he was not prepared to advocate the granting of a larger amount of money he hoped the subject of improving the military drill would receive the

earnest consideration of the Government.

Mr. THOMPSON (Haldimand) said he believed there was some good done by camp drill, but at the same time there was also a great deal of time wasted and much dissipation in connection with these camps. Young men who never had a uniform on their backs before went to the camps and had what they called a good time. If the camps were to be continued they should at least be held in places where there were the least possible temptations to immoral practices. After volunteers learned some drill at home they might be sent to camp.

Mr. McCALLUM approved of this proposed expenditure and observed that there were three times as many men in the country fit for military service as were actually connected with the militia.

Hon. Mr. VAIL said he wished the country to understand that we could only have 28,000 out of the 40,000 in camp each year. He was desirous that there should be no misunderstanding on that point.

Mr. BROWN defended the volunteers from the aspersions of the member for Haldimand, and said their conduct in camp, so far as his experience was concerned, had been admirable. He congratulated the Government upon the fact that they had this year purchased the military clothing in the country, and he hoped before long that the Government would be able to obtain arms and equipments also in this country.

Mr. BIGGAR said he was surprised that the hon. member for Cumberland should wish to reduce the militia expenditure to half a million. As he understood it, the Government of this country were bound by arrangement with the Imperial authorities to spend at least one million dollars annually on militia and defence.

Hon. Mr. MITCHELL—No.

Mr. BIGGAR—Whether the Government were bound to do so or no he believed the money was spent to the satisfaction of the country and that the country got value for it. He spoke in high terms of the Deputy Adjutant General, and expressed the hope that that officer would be promoted.

Item concurred in.

On item 61, contingencies and general service not otherwise provided for, including assistance to rifle associations and bands of efficient corps, $63,000,

Mr. PLUMB asked how much of this amount was to be given to rifle associations. He would be glad if they received a liberal proportion, as he considered them the most meritorious associations in the country. He also trusted that some portion of this vote would be given to pay the expenses of sending a Canadian team to compete at Wimbledon. The presence of a Canadian team at Wimbledon each year was one of the best means of interesting the people of Great Britain in Canada and of promoting emigration. He repelled with indignation the insinuations of the hon. member for Haldimand, to the effect that the volunteer camps were scenes of dissipation and disorder. The camp at Niagara was near his own residence, and although there was a large number of men gathered together, he had not heard of any instances of disorder, and his grounds, though open, had never been disturbed. As to whether these camps afforded the best means of military training, that was another question, which he would leave to military men.

Mr. WRIGHT (Pontiac) cordially supported the suggestion of the last speaker that a portion of this vote should be granted towards paying the expense of sending a Canadian team to Wimbledon. This country had no reason to regret such expenditure in the past. our example was now being followed by other colonies, and next summer it is expected that India, Australia and the United States would send rifle teams to compete at Wimbledon. It therefore behoved this country to send her very best riflemen. The great difficulty in the way in the past was the uncertainty which existed as to receiving aid from the Government. He spoke with some knowledge upon this point, as he had the honor of being a member of the Council of the Dominion Rifle Association. They had always received a grant from Government for this purpose, but owing to the uncertainty of receiving it they were frequently embarrassed in making their arrangements; and what he wished to press upon the Government was the propriety of placing this grant upon a permanent basis so that there would be no doubt about receiving it each year, As to the advantages of sending a Canadian team to Wimbledon,

he need say nothing, as they were pretty generally recognised; but he would take the liberty of reading an extract from a speech of Lord CARNARVON in addressing the Canadian team at Wimbledon last year. His Lordship said:—"It afforded him the greatest pleasure to see them all at Wimbledon. He was informed that the men came from all the Provinces of Canada, and that they, therefore, represented well the Dominion. He was in receipt of letters at the Colonial Office from day to day which showed a strong desire on the part of the Canadian people to have their militia made in every respect thoroughly efficient for the protection of the Dominion."

Mr. ROSS (Prince Edward) observed that, while his hon. friend from Niagara appeared as an advocate of the gentlemen branch of the service, he (Mr. Ross) wished to say a word on behalf of the privates, upon whom, in case the tug of war ever came, we would have mainly to depend. He did not approve of devoting a large sum to rifle associations to the exclusion of the more important branches of the service, as many of the members of such associations, if war ever came, might never handle a rifle. It would be much better if the Government would encourage target practice among the volunteers by offering prizes to battalions, and he hoped a large portion of this vote would be spent in that way.

Hon. Mr. VAIL thought the hon. member for Pontiac might rest satified that the Government would make a grant to the Wimbledon Team, but he could make no more definite promise at present.

Item concurred in; also, items 62 and 64.

On item 65, for improved fire-arms (Snider rifles and "Henry Martin;" rifles); $40,000,

Hon. Mr. MITCHELL called attention to that portion of the report of Major General SMYTH, in which he recommended the purchase of an additional quantity of fire-arms. The Department, he understood, had already on hand a large number of fire-arms, and he did not see the necessity of making additions to them, especially when it was remembered that experiments were continually going on in relation to the improvement of fire-arms, and it might be that before the Government required to use them a more efficient weapon would be invented, and these arms would be superseded. In view of this fact, he hoped the Government would make further inquiries as to the desirability of making this purchase before they spent the money.

Item concurred in; also items 66 to 68 inclusive, and items 109 and 110 under the head of Ocean and River Service.

The House then adjourned at 12:15.

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HOUSE OF COMMONS,

Monday, 1st March, 1875.

The SPEAKER took the chair at three P.M.

INTEREST AND USURY IN NEW BRUNSWICK.

Mr. PALMER introduced a Bill relating to interest and usury in the Province of New Brunswick. He explained that the object of the Bill was to assimilate the law of New Brunswick on the subject of usury as nearly as possible to the law of Ontario and Quebec. In Nova Scotia the law was also different from that of New Brunswich, the legal rate being seven per cent., while in New Brunswick it was only six. The result was that persons in New Brunswick having money to lend when it was dear, would withdraw it in New Brunswick and send to Nova Scotia, where it could be permanently invested at seven per cent. He did not propose by this Bill to alter the law with reference to banks and corporations, nor did he propose that it should apply to the past. The only object he had in view was to assimilate the law in New Brunswick to that of the other Provinces.

Bill read a first time.

LEVIS BOARD OF TRADE.

Mr. FRECHETTE introduced a Bill to amend the Act incorporating the Board of Trade of the town of Levis.

Bill read a first time.

CLAIM OF MATTHEW SMITH.

Mr. DOMVILLE asked what the Government intend to do in regard to the claims of MATTHEW SMITH of King's County, New Brunswick.

Hon. Mr. MACKENZIE.—I have inquired into this matter and the claim is still under adjudication by the Superintendent and the Engineer, and so soon as anything is recommended I will inform the hon. gentlemen.

SETTLERS ON INDIAN LANDS IN THE SAUGEEN PENINSULA.

Mr. GILLIES asked whether it is the intention of the Government, during the present year, to adopt steps by which a measure of relief may be granted to the settlers on Indian lands, in the Saugeen Peninsula.

Hon. Mr. LAIRD said that some cases of hardship had occurred, and the Government would take steps to relieve some of the hardest cases.

IMMIGRATION INTO BRITISH COLUMBIA.

Mr. DE COSMOS asked—Have the Government made any special provision for the introduction of European or Canadian Immigrants into British Columbia during the construction of the Western Division of the Canada Pacific Railway, in order to provide a supply of labor other than Chinese?

Hon. Mr. MACKENZIE—The Government have not taken any special means to introduce any class of immigrants into that country.

LAWS IN REFERENCE TO INDIANS.

Mr. PATERSON asked whether it is the intention of the Government, during the present Session, to introduce a Bill amending the existing laws in reference to Indians?

Hon. Mr. LAIRD said it was not the intention of the Government to submit any Bill in respect to Indian laws this session. It was not deemed advisable to amend any further the laws without consolidating, as there were already six or seven statutes relating to Indian affairs, and it was thought advisable to give fuller consideration to the subject. Besides a deputation consisting of the President and Vice-President of the Indian Council had visited the capitol one or two weeks ago, and asked that the final settlement of this matter should be postponed until there was time to discuss the matter further among themselves.

MARINE HOSPITALS AT SYDNEY.

Mr. MACKAY (Cape Breton) asked whether it is the intention of the Government to take any steps towards the construction of the Marine and Maritime Hospitals at Sydney, for which appropriations were made last year; and if so, when the work would commence?

Hon. Mr. MACKENZIE replied that a contract had been let and the work would be proceeded with as soon as the weather permitted.

BREAKWATER AT COW BAY.

Mr. MACKAY (Cape Breton) asked whether anything was to be done towards completing the arrangements which the Government were authorized to make, and which had been in part acted upon, respecting the breakwater at the foot of Cow Bay?

Hon. Mr. MACKENZIE said that arrangements under the authority obtained last session would he expected, be completed within a day or two. When the supplementary estimates come down they would be explained to the House.

LIGHT-HOUSE ON GUYON ISLAND.

Mr. MACKAY (Cape Breton) asked whether the appropriation made last year for the erection of a light-house on Guyon Island, would be expended on its construction?

Hon. Mr. SMITH said it was the intention of the Government to expend that amount together with a supplentary sum to be voted, and they expected the light-house to be completed during the approaching season.

BREAKWATER AT PORT MAINE-A-DIEU.

Mr. McDONALD (Cape Breton) asked whether the Government has considered the advisability of building a breakwater at the Port of Maine-a-Dieu, N. S., according to the report of the engineer.

Hon. Mr. MACKENZIE.—It has been considered and is still under consideration.

AMENDMENT TO ACT RESPECTING PILOTAGE.

Hon. Mr. MITCHELL asked whether it was the intention of the Government, during the present session, to introduce an amendment to "An Act respecting Pilotage," by which the authority and powers of the Trinity House, Quebec, to deal with offences under Section 71, and other clauses of said Act shall be more clearly defined.

Hon. Mr. SMITH said although he himself had no doubt as to the law, it was the intention of the Government to bring in a Bill on the subject.

EXAMINATION OF HARBORS, ISLAND GRAND MANAN.

Mr. GILLMOR asked whether it was the intention of the Government during the present year, to send a competent engineer to visit the island of Grand Manan, in the County of Charlotte, in New Brunswick, for the purpose of examining the harbors on the Island, with a view to the erection of Breakwaters or such other erections as may be required for the safety and protection of life and shipping.

Hon. Mr. MACKENZIE.—There was an estimate last year of $5,000 for a breakwater at a certain point on this Island, and a survey having been made, this sum was proved to be wholly inadequate, and the amount required to construct a breakwater at that particular place was so enormous as to make it quite inexpedient to expend any portion of the money voted. The Government intended during the coming season to have the coast examined with a view to determine on some more favorable point for a harbor.

NOTES OF CHARTERED BANKS.

Mr. MACDOUGALL (East Elgin) asked whether it is the intention of the Government this session to introduce a Bill to amend Sections 4 of Cap. 11, 33 Vict., so as to permit the chartered banks of Canada to issue notes for less sums than four dollars each.

Hon. Mr. CARTWRIGHT—It is not the intention of the Government.

OFFICIAL ASSIGNEES.

Mr. WHITE asked whether it is the intention of the Government to cancel all appointments of Official Assignees when the new Act comes into force or whether they will allow them to remain and only deal with new appointments as in cases of death or other causes.

Hon. Mr. MACKENZIE—We will cancel whatever appointments may seem to be necessary in the public interest.

BRIDGING THE RIDEAU RIVER.

Mr. ROCHESTER asked whether it is the intention of the Government to build a bridge over the Rideau River at or near the village of Wellington, in the Township of North Gower in the County of Carleton.

Hon. Mr. MACKENZIE—The Government have had interviews with several gentlemen in the locality, and with my hon. friend himself as the member for that district, but they have not decided upon doing anything this year, for this reason. The Rideau Canal last year cost the Government $53,000, while the entire revenue was less than $9,000. I felt that we must be very careful to expend moneys that was not particularly called for. The bridge at this point crosses not the canal, but the River Rideau, and the bridging of the Rideau rests with municipalities on its borders. The river is raised somewhat, however, by using it as a canal, and it would be a question whether the Government would not in that case be prepared to meet the expenditure rendered necessary by the additional work on the margin of the river, and to that extent the Government would give aid, but no more. I asked the deputation to say what they were prepared to do, and we would consider the matter. They have not made any proposition, and I have not felt myself justified in the public interest to make any advance, but I am prepared to consider any proposal that may be made.

ST. PETER'S CANAL.

Mr. CAMPBELL asked whether it is the intention of the Government to proceed with work on the St. Peter's Canal, and when.

Hon. Mr. MACKENZIE.—It is the intention, and so soon as possible.

THE "HANSARD."

M. CHEVAL demande si [dans le but de faire arriver les diverses nationalités de cette Confédération à se bien comprendre, à mieux s'instruire sur leurs besoins, droits et devoirs politiques, sur les vraies tendences, la valeur et le vrai caractère des hommes publics, de produire entr'elles la bonne entente et l'harmonie, toutes choses essentielles à la formation d'un grand peuple], le gouvernement a l'intention de faire en sorte que tous les débats de cette Chambre soient publiés dans les deux langues anglaise et française.

Hon. M. FOURNIER En réponse à la question posée par l'hon. membre, je dois dire que la Chambre ayant pris sur elle le contrôle de la publication des débats, il appartient par conséquent à la Cham-

bre de faire les changements et les améliorations qu'elle jugera à propos.

Mr. CHEVAL asked whether (with a view to cause the different nationalities of this Confederation to arrive at a true mutual understanding and a better knowledge of their political requirements, rights and duties, and of the veritable tendencies, real worth and true character of public men, and of producing that good feeling and harmony between them which are essential to the formation of a great nation) it is the intention of the Government to take the necessary steps to cause the debates of this House to be published in both the English and French languages.

Hon. Mr. FOURNIER—The House having the entire control of the publication of the *Hansard*, it is for the House itself to declare whether the suggestion of the hon. member will be adopted or not.

CONSOLIDATION OF THE STATUTES.

Mr. BIGGAR asked whether it is the intention of the Government to take any steps towards securing a consolidation of the Dominion Statutes.

Hon. Mr. FOURNIER—This question has been under consideration, but, as a period of ten years has not yet elapsed since Confederation, it has not been thought expedient to that end before the expiration of the period referred to. To avoid difficulties, however, the Government are considering the necessity of reprinting such of the old statutes as may yet remain in force. There are very few of them however.

THE MISSISSAGUA INDIAN TRIBE.

Mr. GORDON moved an address to HIS EXCELLENCY the GOVERNOR GENERAL for returns respecting that portion of the Mississagua Indian Tribe now settled upon Scugog Island. 1st.—For the amount invested by the Dominion Government on their behalf in the lands which said Indians now occupy. 2nd.—For the amount of all other funds with the several annual additions thereto which the Government has received from said Indians; showing how said funds are invested, at what rate of interest, and the several annual payments or donations made by Government to them since the first receipt and investment of said funds in the Indians' behalf. He explained that some years ago this tribe held their portion of land to the north of Peterboro', in the neighborhood of Mud Lake. They were induced to sell out that portion of the reserve, and place the funds they received for it in the hands of the Government of the day. Part of it was invested in a block of eight hundred acres of land on Scugog Island, in Scugog Lake. A still further portion of the money, not invested in these lands, was placed in the hands of the Government for investment. Some designing persons had been impressing the Indians with the belief that they had not been fairly dealt with. This information was asked for in order that the Indians might learn from headquarters that they had been dealt with in good faith.

The motion was carried.

CONSTITUTION OF THE SENATE.

Mr. MILLS—I rise for the purpose of moving the resolution of which I have given notice, "That the House go into Committee of the the Whole to consider the following resolution :—That the present mode of constituting the Senate is inconsistent with the Federal Principle in our system of Government, makes the Senate alike independent of the people and the Crown, and is in other material respects defective, and that our Constitution ought to be so amended as to confer upon each Province the power of selecting its own Senators and to define the mode of their selection." I introduced this resolution to the attention of the House last year, and the House did on that occasion go into committee to consider it, without any opposition being offered, or any division taken. I was assured that what was then done was not to be taken as an expression of the opinion of the House upon the resolution. I intimated then that it was my purpose when the House went into committee to suggest in detail a plan by which effect could be given to the views enunciated in this resolution. I have, therefore—because it was then stated that what was done was no indication of the opinions of the majority of the House—begun this year in precisely the same way as I did last. I again give the House an opportunity of expressing an opinion upon the principles enunciated in this resolution. I have here stated what I think I shall be able to establish that the present mode of constituting the

Senate is inconsistent with the Federal Principle which underlies our system of Government. Our Government is declared to be a Government based upon the Federal principle, and it was so to be understood and carried out, excepting in so far as the constitution itself has introduced other and different elements. I think, Sir, when we examine our constitution, we will find that there have been some departures from this principle in three or four particulars. First, in the constitution of the Senate; second, in the provisions of a tentative character, by which the Local Legislatures are authorized to divest themselves of the power of legislating upon the subject of property and civil rights, except in the case of the Province of Quebec; thirdly, in the sort of partnership in which our courts are constituted; and in the vetoing power reserved to the GOVERNOR GENERAL over all acts which may be carried through the various Provincial Legislatures. It seems to me that these are all disturbing elements which at an earlier or more remote period it will be necessary to get eliminated from our constitution before it can be worked harmoniously. The declaration in our constitution that it is based upon the Federal principle I understand in the broad sense in which that term is usually employed. It indicates not an assembly of ambassadors, but a Government operating (not upon the Governments of the Provinces) but directly upon the people. It is the union of several independent and distinct sovereignities for certain definite purposes which have divested themselves of the original power of which they were possessed just in so far as these powers have been conferred upon a single or national Legislature. I have always thought that this is the best system of Government that it is posssible for our people to adopt. I am of opinion that the system of representative Government is one which never can be satisfactorily carried out over a very great extent of territory except we divest the national assembly of those local and minor questions which may properly be dealt with by local representatives of the people, who are to be immediately affected by them. I think it may be laid down as a general proposition to which there can be no exception, that no Parliament can be successful in undertaking to legislate for the people except the people themselves sympathise with the Government in the work in which they are engaged. Unless the people at large feel an interest in what has been done by the Legislature, the legislation is not likely to be successful in its working; and there certainly can be no such thing as direct Parliamentary responsibility where there is not felt a strong interest in the work in which the Legislature is engaged. I am satisfied that our past experience under the old Legislative Union of Canada is sufficient to establish this proposition. Before the system of responsible government was introduced we were without anything which might fairly be designated Municipal institutions, and although there were very important questions before the country—questions with regard to the relations of Church and State; questions with regard to the intro duction of a system of responsible government; questions with regard to the introduction of a system of superior education upon a secular basis—upon which the public mind had been made up, and more or less definitely expressed, yet in many cases it was impossible to get a fair expression of opinion, beoause some local question intervened. Two candidates might be before the electors, and yet the one who agreed most closely with the people upon general questions of public policy, might be, and generally were, rejected because he had not sufficient influence with the Government of the day to secure the construction of a road, or a bridge, or some other local work. By the introduction of Muncipal institutions, these questions were withdrawn from the consideration of the Legislature, and public opinion could be effectually and directly expressed upon the larger questions the settlement of which were necessary in the public interest. But we find under the old system of a Legislative Union between Ontario and Quebec, which existed from 1841 to 1866, a similar class of questions cropped up—— questions of a larger and more general character, but still questions which were essentially Provincial, and upon which it was frequently found impossible to obtain a general expresion of public opinion. If you look at the Statutes of the old Parliament of Canada you will find a large

volume of Statutes of Lower Canada—another volume equally large of Statutes of Upper Canada. You will find in many instances they were carried notwithstanding that a majority of the representatives of the Province to be were opposed to their enactments; and I dare say similar legislation was had on behalf of Quebec. Those people were legislated for by others than those representing them, and thus with regard to a matter which peculiarly concerned the people of Lower Canada we find the representatives of Upper Canada to whose constituencies the law did not extend and upon whose people the law did not in any way operate, assisting in legislation of that character. Now instead of that union being a strong one it was essentially a weak one. Instead of those powers which have since been given to the Legislature being elements of strength, too and serving to bind the two Provinces more closely together, they became elements of repulsion by which the ties, which naturally bound the two Provinces together, were well nigh severed. I say, then, that the system was essentially a weak one. We find that although we had what was called a united Cabinet, yet we had an Attorney General from Lower Canada and another from Upper Canada. We had in effect two distinct set of officers, which were in reality two Cabinets, each of which was responsible to the people of its own Province, and which for certain purposes assumed general responsibility in public affairs. Now, although this was called a Legislative union it was in fact a very imperfect, a very unsystematic species of Federal union. I think, then, I am justified in saying that the Federal Government is the only one of a representative character which is adapted to our circumstances and to the people of this country; and if there can be found among the questions with which the Parliament of Canada is called to deal those effecting only a portion of the population of this country—a portion of the population separated from the rest by geographical lines—they ought, I think, to be again relegated by an amendment of the constitution to the Provinces affected by them. The federal system of Government which has been adopted in this country is not one that has sprung from any pre-conceived opinions of the population. It has not been adopted from the fact that our public men held certain theoretical opinions on the subject of government, and discussed them before the people, and agitated the public mind with regard to them till they were finally carried into practice. The Federal principle has grown out of the peculiar circumstances of our population. We were, in fact, eight colonies before we were united under one Government, and in the answer to the question how we came to be eight instead of one great colony will, I think, be found the reasons upon which our federal system is based. In fact, it would be impossible to lay down any general principle which would justify us in establishing here a consolidated Government which would not, if carried out to its logical consequence, take from this country separate legislative bodies. All the reasons which would go to show that we ought to have a consolidated Government in British North America would go to show that we ought to be represented in Westminster and represented nowhere else. I believe I would be justified in saying that a legislative union fully carried out has never worked satisfactorily anywhere. It was a legislative union that existed between Austria and Hungary from 1848 to 1866, and it never worked satisfactorily. The people of Hungary were always on the point of rebellion. A Federal Government existed under the old united Provinces of Holland for nearly three centuries. Legislative Union was tried and it hardly lasted thirty years. Legislative Union has been tried it is true between England and Scotland, but it has been worked simply by giving to Scotland in a great measure all the powers of Local Government, and all the special Legislation which would have been adopted in that country had it possessed a Local Government of its own. I think—I have always thought—that it was unfortunate that the question of a Federal Government came up here for discussion during the period of the American War, or immediately after that war had closed. There was a general opinion prevalent in this country amongst our public men that the federal system had some way or other shown itself to be too weak, and that it would be necessary, if we established that system of Government here, to make it in

some way stronger than the Government which prevailed on the other side of the line. I think that this was a mistaken opinion. I think that those who will take the trouble of examining the history of that country closely will find that so far from the doctrine of State Sovereignity, as it was called, serving to break up the Union it was the only policy which prevented a civil war on the subject of slavery from being precipitated upon the country for nearly half a century. I say I think it was unfortunate for us that the change in our constitution was brought before Parliament for practical consideration at a period when the conflict existed on the other side of the line. I think that some of the defects in our system of Government and that many of those incongruities, and many of those obscure provisions which have given rise to a very great deal of perplexity, and no little discussion, in this House, are due to that fact. Our system too, it will not be forgotten, never received popular sanction. It is a well understood principle in the English Parliamentary Government that the Government is to be carried on according to the known wishes of the people. The most important question that has ever been brought before a legislative body in this country for its consideration was one upon which the public voice was never consulted. In ordinary legislation we expect to carry on Government according to the view of the Electoral body of the country. We express our opinions upon various public questions at the elections, and we enunciate views of public policy before the people, and for what reason? In order to ascertain what is the public opinion upon these questions that we thus enunciate, and which we suppose will be dealt with by Parliament after the elections are over—in order that the legislation of the country may rest upon popular sympathy and the popular conviction. But here was an important public matter—one which if dealt with could not be recalled—one which if enacted it would be impossible that the people could by any popular vote put back into the position in which it stood before. It was allied with others and the views of any one Province, however strongly expressed, could not affect the system once it was adopted, or bring back any of the powers which had been withdrawn from the Province by that act. I think had our system been subjected to the popular ordeal — had it been subjected fairly to public criticism some of these defects which I have indicated and the one especially with which I now ask this House to deal never would have found their way into the fundamental law of this country. A second chamber may be either federal or national. Under the federal system of Government it is not absolutely necessary that you should have a federal house created upon a federal basis. You may make it a National Assembly, as much so as this House is a National Assembly, but in order to do so it is necessary that the Crown should not be limited with regard to its appointments in any particular provision. If the Senate were not intended to be organized upon a federal basis, then the provisions of our British North American Act (which may be designated our Constitution) providing that Ontario should be represented by twenty-four persons in the Senate—that Quebec should be represented by twenty-four—and that the Maritime Provinces should be represented by twenty-four, have no meaning whatever. I say these provisions have no meaning whatever if it was not intended that the Senate should be organized upon a federal basis. If it is intended to be constituted upon a federal basis, it was absolutely necessary that the Provinces which were to be represented in this House should in some way or other control the appointments of those who were to represent them. Now, it is an event extremely improbable in the history of this country, and scarcely possible that any Government, however strong it may be, will have the confidence of a majority of the people's representatives from every Province, and yet the appointments made by the Crown are the appointments made by the Government. We all remember very well that after the elections in 1867, several vacancies occurred in the representation of the Province of Nova Scotia in the Senate. There were some eighteen representatives from Nova Scotia in the House of Commons hostile to the Administration, and only one or two supporting it, and yet that Province was to have its representation in the Senate filled up by a Government opposed by eighteen-twentieths of the people's representatives in this House.

I say then that in order that the second chamber may be really a federal body—in order that the Province may be really and substantially represented in this Chamber, it is necessary that the Province should in some way control the appointments to that House. I have stated in this relation that not only is the present constitution of the Senate inconsistent with our present system of government, but that it is alike independent of the people and of the Crown. The English system is one of mutual checks. The House of Commons controls the Crown by withholding supplies; the Crown controls the House of Commons by the power of dissolution; and the House of Lords is controlled by the power of creating new peers. But here we have a second Chamber which is responsible to nobody—influenced by nobody, and which is in no way bound to pay any respect to public opinion or to the opinion of this House. It may set itself up in opposition to this House upon a measure of the greatest possible importance to the public, and there is no provision whatever in our constitution for bringing the Senate into harmony with the public opinion of the country. Other members are limited. If that Chamber was to possess a national instead of a federal character—if it was to be treated as a unit—it was of the utmost consequence that the Crown should possess the power of indefinitely increasing the number, and thereby, in case of necessity, of bringing the opinions of that House into harmony with this House. But there is no provision in our Constitution by which that might be done, and if our legislation has not been opposed, it is simply because of the indifference with regard to the important functions with which they have been intrusted. I say a second chamber to serve any real and substantial purpose, must rest upon the same great power or authority in the State. We know what is possessed by the House of Lords in England. We know that they represented for a long time the principal portion of the real property of the nation. We know that their influence outside of Parliament and beyond the limits of their own order is very considerable, even at this day, although it has very much diminished. But upon what great element of society does the Senate rest in this country? It has no substantial basis whatever. There is no part of the community which it can be said to represent; there is no portion of the people of this country with whom it may be said to sympathize. It is, as it stands at present, an isolated body—an excrescence upon our constitution, placed beyond the pale of the influence of public opinion and without any sympathy with any element in the State. Now, sir, I believe there are but two ways in this country by which we can get a second chamber of real importance; the one is direct election by the people, which, in my opinion, would make it a rival of this House, and would ultimately weaken the authority and influence of this House; and the second is by making it a representative body of the sovereignty of the Provinces of the Dominion, which purpose it does not serve now, although it is said to be a body representing the Provinces, and is so designed in our constitution. It does not serve any one of the purposes for which a second chamber can be said to exist, with the single exception of the one mentioned by Mr. MILL, and that is, that it impresses upon this House the idea that there is a second body to consult, and this prevents the complete absolutism of the House. Not only do we find that we have closely followed in this matter the constitution of the House of Lords in creating Senators for life, but we have even provided in our constitution that the appointment of the SPEAKER of the Senate shall not be vested in the Senate, but in the Crown. Sir, there was reason for vesting the appointment of the SPEAKER of the House of Lords in the Crown, because, as a member of the Administration his office of SPEAKER is inseparably connected ithw his position in the Government. But, Sir, the SPEAKER of our Senate is no such personage, and it will be remembered that when the member for Quebec Centre was SPEAKER of the Senate and found it necessary to withdraw from the Chamber for a week or two, he had to tender his resignation, and another had to be appointed by Commission in his stead during the few days he was absent from the House. I know, Sir, of no reason why this appointment was vested in the Crown, except a disposition to servilely imitate the English Government in a matter in which there is no real resemblance between their system and our own. It has been well said by Sir

JAMES MACKINTOSH that the English system of Government is something like a nobleman's mansion. It has been occupied for generations, it has had alterations made in it and additions built, and it is exceedingly unsymetrical; but it is also very convenient, and it would be a very unwise act to tear it down to its foundations for the purpose of building a better and more symmetrical edifice. At the same time, no man in his senses would choose it as a model if he had to build from the foundations. It seems to me, Sir, that this very wise and thoughtful observation, made by a very distinguished English statesman, was lost sight of when these provisions of our constitution were prepared by the delegates to London. I do not think we are bound to imitate the English system of Government in any particular where our circumstances are so totally different from theirs that what is admirably adapted to the English people is in no way suited to us. It is not necessary that we should copy a dead limb of the British constitution in order to show our attachment to that which is green and vigorous, any more than it is necessary for us to shave our heads to show our parental affection simply because our grandfathers may be bald. We have not sir, followed the English system of Parliamentary representation. We have adopted the system of representation by population, which is essentially American in its origin. The English system of Parliamentary representation is a representation of interests. There never has been any serious attempt there to base representation by population. It has always been said by those who have exercised the controlling influence in the Government of that country that in their system of representation they have kept in view all the multifarious interests of the nation, and the representatives of the people of Great Britain in the Imperial Parliament have resolved that no single interest shall have a controlling influence in the legislation of the country. That, sir, is quite clear if you look at the populations of London and Scotland, which are about equal, for you will find Scotland returning many more representatives than the City of London. I think, sir, we acted wisely in taking population as a basis of representation in this House, that we did well to treat our own people as a unit, that in doing so we have taken an important step towards consolidating them, as far as they have common interests, into a real nationality; and it seems to me we would do equally well in looking at the federal features of our Government and establishing a second chamber which would serve some of the important purposes for which a second chamber ought to exist. We sometimes forget, sir, the very rapid changes that take place in a single generation in this country. Lord MACAULAY, not long before his death, speaking of the representation system of England, thought the period of seven years was too long. He said when the Septennial Act was carried English society moved much more slowly than it did in his day; that the changes in five years was greater than had occurred in seven years a century before, and because they were greater it was necessary that the elections should be more frequent in order to adjust the opinions of the House of Commons to the opinions of the nation. Now, Sir, when we look at our Senate, what do we find? We find that the average political life of a Senator is fifteen years, while that of a representative of the people is but two and a half years. Is it possible that such a body as the Senate can be fairly said in any measure to represent the people of this country, that they can be the guardians of any public interest in this country, that they can serve any useful purpose as a legislative body, other than that of taking away the idea of absolute power being possessed by this House. There can be no doubt that whatever position you place public men in, if you completely separate them from the rest of the community and make them completely independent, you unfit them for the discharge of legislative functions. It is necessary in every vocation and position of life that there should be a sense of dependence on our fellow countrymen. Without this essential dependence we become utterly unfit to discharge our duties properly as members of the State, and any legislative body that is completely separated from the rest of the community, that is in no way obliged to conform to the public opinion of the country or show any deference to that public opinion, is in no way qualified to perform the important duties that

devolve upon the Second Chamber. There is another objection which I make to a Second Chamber, and it is this: I do not say that you will not get able men as its members, but I say that however honest and capable an Administration may be, it is impossible that it can constitute a Second Chamber possessing that versatility of character and thought which is necessary to give the Chamber influence in the country. It is not only necessary that a representative body should be composed of able men, but they should be men drawn from every variety of pursuit that exists in the country, in order that the country may have confidence and take an interest in its proceedings. We do not all take exactly the same view of public questions, but we view them from different standpoints. Our minds have been trained to particular avocations, our thoughts flow in particular channels, and we cannot divert them from that groove in which they have been habituated to run. It is therefore necessary that we have men who have been accustomed to think differently, who from the difference of their avocations and positions will be brought to view public questions from different standpoints. Who are you likely to find composing the Second Chamber? Is it the artisan, the agriculturist, the lawyer of good standing? No! You get none of these. You find a few wealthy merchants and retired bankers and defeated politicians, and when you go behind this list you get nothing. I say that such a body, however capable its members may be, is altogether too narrow for the purpose of exerting any important influence upon the legislation of the country. A good Government, Sir, implies two things:—First, familiarity with the objects of Government, and, second, a knowledge of the means to be employed. I do not believe that the Second Chamber is possessed of either of these qualities. There cannot be a proper knowledge of the means to be employed unless the members are brought in contact with the people of the country in some way or other, and, where they stand completely isolated as they do, they are disqualified by that isolation from possessing the necessary qualification. I was told, Sir, last year by a gentleman occupying a prominent position on that side of the House that this is a hobby of mine. But I suppose every measure submitted to this House that has occupied the attention of the party who submits it, and who had seriously considered it, may be called his hobby. I don't think it is necessary to wait for some great calamity to burst upon the nation before we propose to apply a practical remedy to obvious defects. I am of opinion that Government partakes of the elements of an exact science. I believe it is possible to anticipate mischief, and to study the geography of politics in such a manner as to determine with a very considerable degree of accuracy to what particular point any particular measure is likely to lead. I do not think it is necessary we should have a practical experience of very serious defects before it is wise in us to undertake to apply a remedy. I am aware that in the estimation of certain classes of politicians, gentlemen who call themselves practical politicians, but who, in my opinion, are not entitled to that appellation, if you can urge a reason for a particular line of conduct, it is sufficient to justify its rejection as a mere theory. Well, Sir, we have been told by these eminently practical politicians that this second Chamber is to be a check on hasty legislation. It has been tried in this country for a great many years. Has it ever served that purpose? Who does not know that during the closing days of the session as many as fifty Bills has been passed through that House at a single session. Is that acting as a check on hasty legislation? Then we are told that it is to serve as a check against encroachments on the rights and functions of the Local Legislatures; and that would be very important work if it was performed by the second Chamber. Did it serve that purpose? If a second Chamber is to serve that purpose it must derive its authority from the Local Legislatures. Then we are told that the second Chamber is to serve as a Court of Review. When did it ever serve that purpose? What Bill possessing serious defects, improperly and ungrammatically drawn which had ever passed this House, has ever been properly corrected by the other Chamber? I have never seen such a Bill. The hon. member for Quebec Centre, who has returned from the place of the spirits of old politicians, may be able to tell us something in respect to this matter;

but my observation, and I have given some attention to the work done by those hon. gentlemen points in an entirely different direction. It was said by a gentleman who, when appointed to the Senate found himself among gentlemen very much his senior in years, that he expected to be with those who lived two or three generations ago, but to his surprise he found himself with Abraham, Isaac and Jacob when he took his seat in that Chamber. There was an objection taken by the hon. member for St. John last year which I think it will be well to notice—viz. ;—that Parliament had no right to alter the constitution without the consent of the Local Legislatures. Now, sir, I think we are not to forget that we have in our British North America Act two sets of constitutions. We have the constitution of the Federal Government and the constitutions of the various Locla Legislatures. I do not think it would be a proper thing for this House to amend the constitution of any of the Provinces. I think these constitutions are under the purview of the several Local Governments, but at the same time we are the best judges of our constitution here. I think so long as we do not diminish the powers of the Local Legislatures we may, without consulting them, undertake to change the instrument under which we are here legislating. I propose this resolution now, and when the House is in Committee, I will propose a series of resolutions with regard to carrying it into effect. With reference to the schemes I have before enunciated in this House, I think the best way to elect our Senate is to elect them in the Local Legislatures. I believe by increasing their powers and influence you will hold out greater inducements to able men to go into these Local Legislatures. It certainly cannot be to the interest of this country to diminish the importance of those Legislatures or to make them less attractive to men of standing and abilility. We are exercising the powers of Government over a very large extent of territory, and there is no visible emblem of our authority in the remote parts of our country. If there is dissatisfaction on the part of any Local Government or Legislature, if the people of any Province become discontented with the policy pursued by the National Government and Parliament, the Local Legislature and Local Government become the rallying point towards which the disaffected portion of the population gathers. It is of very great consequence, exercising as we do a governmental authority over a vast extent of territory, that we should give to the Local Governments and Legislatures an interest in the maintenance of national authority. You do this to a very considerable extent when you confer upon those Local Governments the power of electing one branch of the Legislature. The English system of government has been defined by a modern writer as an unworkable form of government, made workable by a constant threat of revolution. No important measure has been submitted to the House of Commons that has not been rejected by the House of Lords and continued to be rejected until the public mind became so excited that further rejection was dangerous. Now, I think that every one will admit that is a defect, and I think no one will maintain that a defect of that sort is desirable to copy in this country. We have that defect under our present system in an aggravated form. We have a second Chamber that has no possible connection with the people of this country, that is in no way responsible to the people of this country, and that may, at the same time, set itself up in opposition to the Government and House of Commons without any possibility of bringing it into harmony with the other branch of the Legislature. I shall not further trespass upon the attention of this House. I ask the support of the House to this proposition with a view to removing a useless and rotten institution from our system, and with a view to establishing one more in harmony with the genius of our constitution and more in keeping with the spirit of the age.

Mr. PALMER desired to state certain preliminary objections to this resolution, which he thought should first be settled before adopting or rejecting the resolution. He did not think it expedient to condemn a portion of this legislature until a mode was discovered for effecting what was desired. This resolution proposed to ask the Imperial Parliament to pass an Act to wipe out the Senate and in lieu of that, to make the Senate elective by the Local Legislatures. As a member representing a county in one of the smaller Provinces, he objected to this proposition. It would

introduce a principle so dangerous and so subversive of the independence of his Province, that he could not consent to its adoption. Previous to the adoption of our constitution, every colony of the British Empire—on this continent at all events—had responsible Government, the effect of which was that no Imperial legislation could be passed without their assent. From the beginning he, (Mr. PALMER) was in favor of an elective union. He was for it still and he was prepared to support it now if any one would take the proper way to have the present system abolished and a legislative union adopted. Under that system the small Provinces would have equal rights with the large ones, and until its adoption the smaller Provinces would suffer. His preliminary objections to the resolution before the House were; 1st, in point of law it was unconstitutional. It would be a violation of the agreement made with the several Provinces if that were allowed to be done; 2nd, we had not had that experience with reference to the working of the constitution that would be necessary before passing so solemn a judgment with regard to it. The statement that the Senate had done nothing was incorrect. He could point out Bills which had passed this House and were checked by the Upper House. That was done with reference to the Bill to change the ridings of Huron. Whether this was right or wrong, the Senate could not be said to have done nothing. Would the hon. member for Bothwell contend in this House that the Imperial Parliament would have a constitutional right to pass the British North America Act at all without the consent of the various Provinces interested therein? He (Mr. PALMER) insisted they would not. And, having passed that Act with the consent of the Provinces, could it be altered by the Imperial Parliament without the same consent? It would not only be a violation of the constitution, but also of the distinctive agreement between the Provinces. If the hon. gentleman admitted these two propositions, he would have to admit that this proposition involved the commisssion of an unconstitutional act by this House. If our constitution could be altered in one point, none of its provisions were safe. If this House had a right to ask the Imperial Parliament to amend our constitution, the Local Legislatures had a similar right. He was surprised at the proposition of his hon. friend, to the effect that the constitution was incomplete. He (Mr. PALMER) was always under the impression that it was complete in all its parts. It was impossible that we could have two constitutions, although the proposition of his hon. friend asserted as much. It was true that the Provinces might have each a mode of government peculiar to itself, and the Federation had a mode of government peculiar to itself; but the whole taken together went to form our constitution, and each portion ought to work in harmony with the others, neither of them endeavoring or desiring to entrench on the powers of the others. Without this spirit prevailing, it was impossible to carry on our system of government satisfactorily. The hon. gentleman has spoken as though this Government were worked upon the same principle as the American Constitution, but if he looked at the Constitutional Act, he would find that the consent of the people of this country to confederation was based upon the consideration that our Constitution would be framed after the principle of the British Constitution, thus distinctly excluding that of the United States. If his hon. friend succeeded in eliminating the Senate from our system of government, he would destroy the great underlying principle which distinguished our constitution from that of the republic to the south of us. The federal principle, in his (Mr. PALMER'S) opinion, was simply an agreement between two Powers or States to unite in governing themselves by conferring upon each other certain powers. This, at least, was how the people of this country understood it when they made their agreement at Confederation. However much he might sympathise with his hon. friend from Bothwell in many of the views he expressed, yet he was forced to oppose him in this motion until the people had agreed to it. The hon. gentleman proposed to alter our constitution so as to assimilate the Senate in its powers and composition to the Federal principle, and yet the very essence of that principle was the fact that nothing of the kind could be done without the agreement of the people. He (Mr. PALMER) had not the slightest objection to this or any other question being brought forward, provided it were

done in the proper way, and the proper way in this case was to have a joint convention of the Provinces, afterwards initiating any measure on the subject in the Local Legislatures, and afterwards passing it through the Dominion Parliament. Then, and not till then, would the British Government be likely to accede to an alteration of our Constitution.

Mr. MILLS—What about the Act of 1871?

Mr. PALMER said he was bound to confess he did not know exactly to what Act his hon. friend referred. If it were to the increase of subsidy to Nova Scotia, he believed his hon. friend objected to it, because it was not provided for in the Constitutional Act. The Government of that time defended themselves on the ground that the finances of the country could be dealt with independently of the Imperial authorities. Whatever might be his opinion of the subject from an equitable point of view, he certainly agreed with his hon. friend on the unconstitutionality of the Act. The hon. gentleman's own argument in that case was good against the position he took in regard to this. If all the hon. gentleman alleged against the Senate are at present constituted, he was not surprised that he should bring such a motion as this before the House; but there was no other ground upon which he could conceive of one who took such a deep interest in constitutional questions, and who had studied them from such a calm and philosophical point of view, proposing to interfere with our system of government in a manner so entirely opposed to the spirit of the constitution. The extent of the evil, however, did not to him (Mr. PALMER) appear to be a justification of the means, and he was afraid if we permitted ourselves to go out of the strait and narrow path in one instance, there would be no saying where we should stop. Unless this House had the right to ask for an alteration of the constitution without the consent of the whole of the Provinces, which he was not prepared to admit, he would feel bound upon that ground alone to oppose the motion.

Hon. Mr. CAUCHON hoped the hon. member for Bothwell would not insist upon dividing the House upon this question. The problem was as yet an abstract one, and the House was not in a position to come to a conclusion upon it, for there were as many theories as to the proper mode of constituting the Senate, provided the present system were abandoned, as there were men. His own opinion was, that we should not change the existing organization of that body; for, although it was admitted that the Senate was not in point of ability all that we might desire, that was the fault of those who had made the nominations. It could not be denied that many of its members would be an honor to any Legislature. It was estimated that we required 1,200 men for our various Legislatures, and our country ought, indeed, to be a happy one, if the majority of these were at all equal to the duties required of them. This might, perhaps, be considered a very good argument in favor of legislative union, but there were several interests which would suffer by this proposition, and for the want of whose acquiescence it would be unnecessary to discuss it. It might, perhaps, be true, that the number of Senators was too great, and some reduction might be practicable; but in regard to the mode in which it was constituted, the hon. member for St. John was perfectly right in saying that it was formed after the principle of the British House of Lords. This House had not the authority to alter the constitution, but there could be no doubt that it had the authority to ask for an alteration. We could not in this country adopt the constitution of the United States, for the point from which we started was a different one, and we could not, therefore, reach the same object. He thought there was an immense danger in the present Constitution of the United States, arising from the tendency to centralize power. That had, unfortunately, been one of the results of the civil war of 1860-64, and, to all appearance, the Federal Government would soon become so powerful as to swallow up the whole authority. If we had an upper House elected by the Local Legislatures, without going the length of saying that in the fact, would lie an absolute danger, there was no denying that the result would be that there would be a tendency to centralization, he deprecated this continual tinkering at the Constitution. Every year disclosed the fact that for some time to come, difficulties would continually arise, especially as the respective powers of the Local and Federal Gov-

ernments, against which the Constitution did not provide. When, therefore, we came to amend that Constitution, as would some day doubtless be necessary, we should have already considered not only this, but every other feature it was desirable to alter. To press for a vote, in the meantime, declaring in effect against the utility of the Senate, would simply be to weaken the moral strength of that House before the country. He had himself the honor of presiding over that body, and he had left it, not because he thought it was not respectable, but because like his hon. friend from Northumberland, there was not enough paper in it for him. To illustrate the good purposes which the Senate served, he recalled the circumstances under which that House a few years ago rejected eleven Bills, because they were brought down to them at the end of the session when they had not time to give them full consideration. Upon that and upon several other occasions the Senate had rendered the country good service. There were many good men from whom to choose in making appointments, but unfortunately selections had frequently been made for other reasons than that the appointee was fitted for the discharge of the duties. What was true of the Federal Senate was equally true of the Upper Houses of the various Provinces. Although he was opposed to forcing this question to a vote, he agreed somewhat with the hon. member for Bothwell that the discussion was useful. The proper place to discuss it, however, was at the polls, where the people would themselves have an opportunity of pronouncing upon it directly. If he were bound to vote upon this occasion he would vote against the resolution of the hon. member, not because he objected to any plan that might be proposed, but because he objected to changing the Constitution of the Senate at the present time.

Mr. PLUMB confessed that he had listened with some curiosity to the speech of the hon. member who had brought up this question, and considering the amount of time and labor the hon. gentleman had devoted to the subject, the arguments he had brought forward were hardly such as might have been expected. There were some of the views expressed with which he was prepared to concur, but he did not pretend to understand the legal or constitutional questions, nor could he exactly see the appropriateness of importing into this discussion the relations of Hungary and Austria or the subject of State Sovereignity in the United States. Neither of these, so far as he could see served to illustrate anything that had taken place or could take place in this connection. So far as the United States was concerned the union of its various States was in direct antagonism to Federalism. The hon. gentleman, however, was to a certain extent correct when he stated that the tendency was towards the concentration of power in the hands of the Federal Government as against the State, and it was also true that it was this battle between Federal and State power, which finally brought about the difficulties of 1860-64. The precipitation of that struggle had been prevented years before with great difficulty by the efforts of HENRY CLAY and DANIEL WEBSTER. Since the civil war there had been a continual struggle in the United States between Centralization and Federalism. He proceeded to point out the difference between the Constitution of the United States Senate and of ours, and he contended that any argument drawn from a supposed analogy between the two bodies was entirely worthless. He strongly objected to the harsh terms which had been used by the member for Bothwell in reference to the present Senate, and he was somewhat surprised that his hon. friend should have used such expressions in view of the recent appointments which had been made to that body by the present Government.

Mr. DECOSMOS said he did not believe the Senate as at present constituted was worth the money the country paid for it, and he was of opinion that the proper course to pursue would be to abolish it altogether. He instanced the case of the North German Confederation, where legislation was successfully conducted with only one Chamber. He also noticed the fact that in North Germany universal suffrage prevailed, and he would be prepared to support the introduction of that franchise into this country, both for our Local and General Legislatures. With regard to the suggestion that this question of changing the Constitution of the Senate to the popular vote, he approved of the practice of holding national conven-

tions, where all such questions might be discussed by the people. If we were to have a Second Chamber at all, it should be in some measure a representative body, and yet, so far as his own district was concerned, at least, he believed the Senator who came from there could not be returned to the people. Members of the Senate also should be above accepting paltry offices from the Ministry of the day, if the Senate was to retain any portion of that respect which the House of Lords commands. If the Senate was not to be abolished altogether, he would support such a change in its constitution as that now proposed.

Mr. MOSS said it had been strongly objected in the House and the country that it was scarcely fitting to discuss this question at the present time, and that objection was founded upon the ground that our Confederation was so young, and our constitution so recently established, that it was inexpedient to consider any change whatever until a longer time had elapsed. To that doctrine he was unable to subscribe. It appeared to him that it was the duty of members of that House when an hon. member brought forward a motion of the character of that which had been laid on the table, and supported it with the ability and research with which it had been supported by the hon. member for Bothwell, to endeavor to form some conclusion as to the course which should be adopted. He was not more than any other member of the House in favor of change for change's sake. He did not believe in violent political agitation, but he could not conceive how it could be urged that the fair open consideration of the question under discussion involved any political agitation. He had heard the objection raised on this and other occasions that the proposal of the hon. member for Bothwell was a mere theory, a mere hobby, which was unworthy of the consideration of practical statesmen. Surely gentlemen who made remarks of that kind did not duly consider the language which they were using, and it was the duty of members to consider any question which so gravely affected the constitution of the country. He would ask those gentlemen whether our constitutional system was not adopted as a theory. The framers of the British North America Act were men of great breadth of view and of large experience, but still they did not possess all the wisdom of the country on the subject which they discussed, and there was no reason why the members of the House should not approach the consideration of the subject as fairly as did the framers of the constitution. If, then, they were not precluded from discussing the subject from high State necessity, which he could not conceive existed, the first question to decide was whether or not the present system was satisfactory. The hon. member for Bothwell attacked it on two distinct grounds. First, that the second Chamber was inconsistent with the federal system, and second, that it constituted a body which was not responsible either to the Crown or to the people. The House had heard a good deal of theorising from hon. members during the discussion, even from the hon. member for Bothwell. The difference, however, between the theorising of the different gentlemen and the mover of the resolution was that he was in the main right, while the other gentlemen were either wrong or irrelevant in the expression of their views. But there was one point on which he could not agree with the hon. member for Bothwell, and he desired to guard himself from being understood to coincide entirely with that hon. member's idea of the federal character of our constitution The hon. member for Bothweil had correctly stated that the idea of a federal-government was one in which separate states had resigned a certain amount of their powers and functions to the national authority, and that the national authority is circumscribed by the limits of the direct power which has been given it by something in the nature of a constitution. That, of course, was the case in the Federal Union known as the United States. But he (Mr. Moss) did not think that was the true character of the Federal Union under which we live. In Section 91 of the British North America Act it is declared :—

"It shall be lawful for the QUEEN, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces;" and the

Act then proceeded to specify certain powers which were by that Act assigned to the Federal Parliament, but especially without limiting the general powers.. But that appeared to be the converse of the system under which the American constitution was founded. Under the American system the States retained all their rights which they did not expressly cede, and the Federal Government had only power to deal with matters expressly assigned to it. Under our Constitution the Local Legislatures had only power to deal with those matters which were expressly conveyed to them. While differing from the hon. member for Bothwell on this point, he agreed with the hon. member in believing that the present Constitution of the Senate was not in accordance with any federal system, and there could be no doubt that ours is a federal system, for it was so set forth in our Constitution. It might just as well be argued that it would be in accordance with the Federal system if the members of this House were empowered to elect the members of the Senate as that it was in accordance with the federal system to leave the power in the hands of Dominion Government. Such a proposition was made when the Constitution of the United States was first framed, but it was rejected by an overwhelming majority. The mode of choice which had been adopted in regard to the Senate was one which no man could defend, more especially in that the Government of the day appointed members to the Senate when a vacancy occurred. Members of the Government were not altogether free from human weakness, and he could appeal with confidence to the members of the present Administration, because they were honest in their statements, to say whether they had not felt that human weakness, sorely tried by the presence of political considerations. He did not mean to say it had been so in regard to the appointment of Senators since the Government came into office, but whenever power was entrusted to the hands of a government, it was liable to be influenced by political considerations, no matter how honest, upright and able that government might be. If it was conceded that the present mode of appointment was not the most desirable one, and that the present Constitution of the Senate might be improved, there appeared to be four courses open for consideration. In the first place it was said the Senate might be dispensed with. It was, however, utterly impossible that any such proposition could be entertained by the House, under the peculiar circumstances in which the Dominion was placed. There were several reasons why a proposition to abolish the Senate could not be entertained. No doubt experience had proved that under certain circumstances the work of legislation might be done, and well done, by a single legislative body. Reference had been made to the experience of the Ontario Legislature. He believed the Ontario Legislature had done its work in the main well, and there was no desire among the people of that Province that the Legislative Assembly should be supplemented by a second Chamber. But the circumstances of the case here were entirely different. If, however, our representation were based on a different principle, if our system of representation were something very different from what it now is, if our mode of securing a full and accurate representation of the people was more perfect than he believed it to be, there would be much more room for the argument that a single Chamber was sufficient for the necessities of the people. But, while we had the system which now obtained, but which he did not believe would be permanent, under which a majority of the people returned the representatives to this House, and while there was no attempt made to perfect a system of representation under which the people of the country would be more fairly represented, he believed a single Chamber would be out of the question. But, even if that improvement in the mode of our representation could be secured, there was still one objection, which, in his view, was quite fatal to the abolition of the Senate. He agreed with the hon. member for St. John that when Confederation was entered into, an arrangement was arrived at between the Provinces that came into the Union that they should have representation in the Senate. The federal character of our Union required that the younger Provinces which entered the Union should enjoy that representation. One object which the framers of the constitution had in view was, as they had been told on high authority and learned from the Confederation debates, that the Senate should be a sort

of buttress against encroachment by the larger Provinces on the rights of the smaller Provinces. That buttress must be allowed to remain. He believed its retention was to be justified on principles of high policy; but at all events, it was sufficient for the present purpose to say that the compact had been entered into by which the smaller Provinces were to enjoy representation in a body distinct from the popular body, and that the compact must be observed.

AFTER RECESS.

Mr. MOSS resumed his speech. He said he had been endeavoring when the House rose, to explain to the House the reasons that led him to believe that it would be inconsistent with the obligations under which we entered into Confederation to abolish the Senate. These considerations, he admitted, were entitled to the very greatest weight. He had always been an advocate for continuing to the Provinces every right conceded to them by Confederation. They, of course, would demand no larger rights than were conceded to them, and they should not be asked to accept less. If there was weight in the argument of the hon. member for St. John that there was in the proposal before the House something to violate the compact entered into with the Lower Provinces at the time of Confederation, he for one should be disposed not to accept the resolution, but he failed to find in it any derogation from the rights conceded to the Provinces with respect to the Senate. When that scheme was entered into, those who represented the Provinces were naturally anxious that some system should be devised for protecting the smaller against the larger Provinces more perfectly than it was supposed might be done by the ordinary procedure in the popular assembly. One of those, the House was told was the Constitution of the Senate. It was arranged between the contracting parties that Ontario should be represented by 24 Senators, Quebec by 24, and the two Maritime Provinces which then came into Confederation by 24. It was supposed, and justly supposed, that in this way a means could be had for giving to these smaller Provinces some security against encroachments by the larger Provinces. That security he was not disposed to diminish: that security the proposition before the House was not calculated to diminish, and he could not conceive on what ground a liberal gentleman like the hon. member for St. John, who professed to hold so dear the true principles of liberality and constitutionalism at the same time, could object to a proposition which relegated to the Provinces the right to determine the mode by which these Senators should be appointed. It was not proposed to take away its proportional representation, curtail its powers, or alter its usefulness for the protection of the smaller Provinces, and it could not be regarded as an infringement of the rights they hoped to enjoy under confederation. The proposition was to so amend the Constitution as to confer upon each Province the power to select its own Senators. This was an enlargement of the rights of the smaller Provinces. According to the hon. member for St. John, this House and this country were prevented forever from making such a change as this, because the preamble of the British North America Act declared that the confederation was to have a Constitution similar to that of the United Kingdom. He (Mr. Moss) supposed that meant a Constitution as similar in principle as the circumstances of the case admitted. No one would pretend that the Constitution built up under this act was similar to the British Constitution and therefore, the analogy sought to be founded on the functions of the House of Lords totally failed. But in England now-a-days we did not find that the House of Lords was that sacred thing which no man dared to touch. Even Conservatives discussed the question as to whether the House of Lords should remain as it was or the circumstances of the country did not demand an imperative change in its Constitution. The analogy of the House of Lords was totally useless, too, considering the Constitution under which we ought to live. The House of Lords was not the product of any theorizing. It was not established as it was. It did not enjoy its proper functions because the people of England thought it was the best form of a second Chamber which could be devised. A great thinker states it has no definite place and no actual power in the constitution. It had opposed every measure for the improvement of the people until resistance was impossible. It

was so with the measures for the removal of disabilities from Jews and Catholics, the removal of the tax on food and knowledge, and abolishing tests in the universities of England. It resisted until resistance threatened its existence, and then it gave way. An analogy founded on this could not be of advantage to Canada. He did not object to the introduction of a reference to the British constitution. It was quite proper that the attention of this House should be directed to it, as a model which it was desirable to follow, so far as the circumstances of our country permitted. But no idolatrous idea, no notion that, because it was the British Constitution, therefore it was the best for us, should prevent this House from looking at the facts as they actually existed. He regarded the abolition of the Senate as impracticable and possibly undesirable if practicable, and that at any rate it was a proposition not likely to be entertained by the people of this country at the present moment. There arose then a second course which it was open for this House to adopt if a change were made. The Senate might be elected directly by the people of this country. They would then, he presumed, be elected as representatives of districts similar in character, but different in magnitude from the constituencies which now sent hon. members to this House. No other difference that he knew of was suggested. There might be some property qualification, though the sense of the country seemed to be opposed to that. There might possibly be some qualification of age, although he doubted whether the House would be quite satisfied that age always brought wisdom to such an extent as to render it a desirable qualification where the will of the people was to make the choice. He assumed, therefore, if the Senators were to be elected directly by the people, the same system as that which prevailed in the election of members for the House of Commons would be adopted, the only difference being in the size of the constituency. He did not hesitate to say that to this system he was entirely opposed. If that were the only mode of having the second Chamber, it would be better to do without it altogether. A Parliament thus consituted would be the expression of the people's feelings with two tongues instead of one. Could it be expected that a body chosen by the same class of electors from the same districts—in fact the aggregation of the same districts—would represent any different feelings or impulses or passions from the present House? Such a thing was impossible. It would not produce a body that could afford any of those checks or safe-guards against hasty legislation, which gentlemen on the other side seemed to think was the great object of the Senate to secure. If there was to be a second Chamber it was quite clear that it should be quite dissimilar in genius from the people's immediate representatives. They must be chosen on a different principle, and not likely to be influenced by the same impulses and sentiments as a merely popular House. There would be, as had been pointed out, the danger of a dead-lock if the two Houses were elected directly by the people. One House might interpret the popular will differently from the other. Who was to determine which House properly represented the popular will? But, it would be said, under our present constitution we might have a dead-lock. He had no apprehension of it with the Senate constituted in any way except by the direct vote of the people. For his part he would not like to be obliged to choose between the present system, which he held to be so extremely bad, and the system of direct election by the people, the consequences of which he could apprehend. There was a third scheme which had not, so far as he knew, been suggested to the House, but which had, nevertheless, some merit. It might have the great demerit of not being very practicable, but it certainly had some features to recommend it. It might be perhaps called a composite scheme by which an endeavour would be made to select members of the Senate out of different classes of persons. In the first place, we could have retired officials of high character and standing; ex-Lieutenant-Governors and retired Judges and Privy Councillors who were unwilling again to submit themselves to the test of a popular election. That would form a class of *ex-officio* members. In the second place, we might have some members nominated by the Crown, and, although he was himself of opinion that that was a very bad system, as he had already attempted to show, yet if it were as indispensible as some hon. members

contended, it might possibly be conceded to this extent. Lastly, we might have members elected by the people or Local Legislatures. There were objections to this scheme which had been very naturally urged. Most gentlemen in the House would agree that it would be a desirable thing to lessen rather than to increase the number of Senators. Under the scheme he had mentioned it was possible that an increase of members might be necessary, and if that were the result it would be a grave objection to its acceptance. There remained then this scheme—that of election by the Local Legislatures, a scheme to which his hon. friend from Bothwell had pledged himself, and which appeared to him (Mr. Moss) most likely under our actual circumstances to work satisfactorily. It had the great advantage of being strictly in accordance with the Federal theory upon which our system was based. No man who had listened to the arguments of his hon. friend would dispute that the theory upon which our Constitution was framed was that the Provinces should exercise certain legislative, judicial and executive rights. No one who had heard him would dispute that it was part of our system of federation that the Senate should be constituted so as to afford to the Provinces a guarantee against the infringement of their rights by the central authority. If that idea were carried into practice, it must be by allowing the various Local Legislatures to send to the Senate men whom they chose to represent their Provinces. However able a Premier of the Dominion might be, however watchful he might be, he was not and could not be so well fitted to select for the Senate men who could fairly and properly represent the various Provinces as the Legislatures of those Provinces. He (Mr. Moss) was well aware of the objections made to this system. He had frequently heard it said that the moment this power was given to Local Legislatures it was in effect given over into the hands of the Premier of that Province, who would name his man, and the majority supporting him would rise up at his bidding and vote. It was said there would be no freedom of choice under that system any more than there was under the present—that the power of nominating would merely be transferred from the hands of the Premier of the Dominion into the hands of the Premiers of the Provinces. It was said, again, by those who were ready to give credit to the Legislatures for some independence of action, but still opposed transferring to them the power of electing the Federal Senators, that they would be so influenced by party and sectional feelings that it would be impossible to rely upon good men being chosen, that the majority would return men of their own political stripe, without regard to their ability or experience. There was force in the objection, and it had been pressed upon him on several occasions since last he had the honor of addressing the House. Some gentlemen regarded it as a fatal objection, but he took another view of it entirely. He held there was a simple and easy expedient for removing that difficulty—an expedient known to every member of the House, and one that had been resorted to upon a very memorable occasion in the history of Canada—an expedient which would ensure the minority of the Legislature a fair representation in the Senate. That expedient was the one resorted to in this House on the occasion of choosing a committee to investigate certain grave charges against Ministers of the Crown, and but for it no one could expect that the hon. member for South Bruce and the hon. member for Napierville should have been chosen as two out of the five who composed that committee. This mode was perfectly adaptable to the choice of Senators by the Local Legislature. Suppose, as an example, that New Brunswick had to send five Senators, and the Local Legislature had the choice, the majority upon this principle might send three and the minority two. It would thus be seen that there was no foundation for the argument that the election would be in the hands of the majority.

Mr. BOWELL — Suppose that only one Senator were to be chosen.

Mr. MOSS said he knew that in that event they could only have an election by the majority, but that would only occur in the case of a vacancy by death or resignation. However, he would just as soon, considering all the circumstances, leave the choice to the majority of the Local Legislature in any of the Provinces as to the gentleman who might happen to be Premier of the Dominion. The

possible difficulty of Senators being chosen unfairly, not incidental to the plan, on the contrary, they would more fully and fairly represent the sense of the people in these Provinces than it would be possible for men to do who were merely the choice of the Premier of the Dominion. He had heard this question spoken of as involving a great constitutional change ; he had heard that it was tearing up the roots of the Constitution. He (Mr. Moss) failed to see that we were entering upon any such grave task. The House was not being asked to assert that the constitution of the Senate should be changed, except as to the mode of appointment. It was not being asked that the powers of the Senate should be enlarged or abridged. It was not being asked that their constitutional mode of action should in any way be altered. All that the hon. member for Bothwell suggested to the House was that the mode of appointment at present was not a proper one, and that there were modes open for adoption, by which we could more certainly attain the objects which the framers of the Constitution had in view when they determined upon the establishment of a second Chamber. He had heard, too, that the House was being asked to adopt the Constitution of the United States, and that every one who favored a change of the existing system looked for a model to the other side of the line. He, for one, repudiated that insinuation. He did not look in that direction for his model, but he held himself as free as the framers of our Constitution to take from it any suggestion which appeared practicable. If he and those who agreed with him proposed to make our Senate similar to that of the United States, if it had been proposed to confer upon them similar powers, if it had even been proposed to confer upon them powers which they did not at present possess or to take away any function which they exercised now, there might be some foundation for this charge. Not only was the question of the mode of appointing Senators a proper one for the members of this House to consider, but it was their bounden duty to consider it, and to see whether the system in force at present was the best possible, or whether it would not be better, inasmuch as the Senate was considered to be the guardian of the smaller Provinces against the encroachments of the larger, to place that power more extensively in the hands of those Provinces. He was not afraid to submit this question fairly to a good many members of the Senate itself. He did not suppose that any one intended to interfere with the vested rights of the present incumbents. He had no doubt that they did their best to perform their duties faithfully. The materials were such as would not lead one to expect the results to be very great. Nevertheless, he repeated they had been faithful in the discharge of their duties to the best of their ability. He would not go the length of saying that all the gentlemen who had been appointed to the Senate had been capable legislators, but to the extent of their capability they had done faithfully. But the fact that they had done their best to discharge their duties did not prove that a change in the mode of the Constitution of the Senate would not be to the benefit of this country. It did not appear to him that this was a question that should have the slightest party tinge or that it involved any party differences. He could not conceive why gentlemen who held strong Conservative opinions—whatever that might mean now-a-days, unless they believed that whatever is, is best—should not be prepared to consider the question of whether or not some better mode than the present could be devised for constituting the Senate ; and a fair consideration was all he believed that the hon. member for Bothwell sought. If the House should decide to go into Committee on the resolution then no doubt his hon. friend would explain in detail the means that had occurred to him as likely to procure the result which he (Mr. Moss) believed a large majority of this House and of the country desired, namely; that of improving the present Constitution of the Senate.

Mr. CASEY referring to the argument of the member for St. John based upon an analogy between our Senate and the House of Lords pointed out that these two bodies were not at all analogous either in their origin or their constitution. The House of Lords originated in no special legislation as did our Senate. It arose from the old Council of the Kings, the hereditary nobles of the country and originally the natural advisers of the king. The members of it held their seats not by virtue of nomination by the Crown, but in virtue

of their descent. A part of that House it is true were nominated by the Crown, namely, the spiritual peers, but as these held their seats by virtue of their holding certain ecclesiastical positions, it might be fairly said that no portion of the House of Lords were nominated directly to their legislative positions by the Crown. Then the members of this body received a special, social and educational training for their bright positions, as they knew from their earliest youth that they would in time be called to take their seats in the House of Lords. The same could not be said of our Senators. They went through the same political and party training as did members of the Commons, and that training was not of a kind to make them independent, either of the government of the day or of the gusts of popular feeling. In fact, the appointments to the Senate were exactly of the same class as the appointments to any other salaried position in the gift of the Government. They were rewards of party zeal, or of the influence which the persons receiving the appointments may have exercised or will be able to exercise on behalf of the Government of the day, and the same kind of evils which were connected with the system of making appointments to the civil service for political considerations existed with reference to appointments to the Senate, though in a much greater degree, as the position was higher and the duties more important. If he might be allowed to give his own opinion of what position the Senate should fill under the Federal system, it would be that that body should not only be a check on hasty legislation, but should be a mediator between the various Provinces and between the provinces and the federal power, In order that it might be a check upon hasty legislation, it might be sufficient if its members were elected for a longer term than the members of the Commons; but in order that it should be in a position to act as mediator between the Provinces, it should be the representatives of the different Provinces and not of constituencies. Senators nominated by the Government of the day were not necessarily representatives of their Provinces, but might, on the contrary, be entirely opposed to the prevailing sentiment in their Provinces. On the whole, he approved of the plan suggested by the mover of the resolution for which he would cast his vote. Referring to the case cited by the member for St. John, in which the Senate had defeated a Bill sent up by the Lower House, namely, the Tuckersmith Bill, he thought the hon. gentleman had selected a most unfortunate illustration, because, if there was any subject upon which the Commons might be supposed to have full control it was one which related to its own constitution.

Mr. MACDOUGALL (East Elgin), approved of having a Second Chamber, but thought that some better mode than the present should be devised for constituting it. His idea of the functions of the Senate were those of a revising body, as a sort of appellant body, where questions could be decided in a judicial spirit. Then with reference to those who should be called on to perform those functions, they should be men of large experience and great learning, and men who were familiar with the principles of constitutional Government. The next question was how were these men to be selected. He proceeded to discuss the different modes suggested, namely, the nominative system, the elective system, and the system of election by the Local Legislatures, and pointed out the advantages of the latter system. We had a right to ask the Imperial Parliament to revise our Constitution, the Imperial Parliament being the highest authority to which we could appeal. There was nothing in the proposition of the hon. member for Bothwell which was contrary to responsible government, as understood under the principles of the British Constitution. The allegation that any change made in the Constitution was revolutionary fell to the ground, because he found that such changes were often made in England. Although the framers of our constitution had determined the Senate would be nominated by the Crown, it afforded no reason why, if further experience and knowledge obtained since that time satisfied us that a change was required, that change should be made. It would be a very dangerous principle to adopt in legislation, if as soon as an Act of Parliament was passed adopting a certain principle, no change could be made, however much it was required. He believed there was a growing feeling prevailing in the country that a change was necessary in the

organization of the Senate; the question was one which pressed itself on the attention of the House.

Mr. WALLACE (South Norfolk) said that some of the hon. members who had taken part in the debate had forgotten that we are part of a monarchy and have a Sovereign. It was calmly proposed by the resolution on the table to change the mode of constituting a body which was equal to this House, a power which the House did not possess. He had always believed that Senatorships were the rewards of merit, similar to the creation of Peerages in England. Peers were created for services rendered in the field or in Parliament. Sir HUGH SMITH and General NAPIER having been raised to the Upper House for military services, while HER MAJESTY offered a peerage to M. DISRAELI for his political services. Take away from the Crown the right to appoint to the Senate, and what means remained by which the Sovereign could recompense a Canadian subject for his service to his country. Titles were not in accordance with the genius or spirit of this people, and this right taken away nothing was left. It was incorrect to say that the representation of this country was based on population. It was based on property or income. There were no two constituences having a population alike, and therefore that could not be the basis of representation. It was also a mistake to speak of the sovereignity of the Provinces of this Dominion. There was no such thing; all the powers the Provinces possessed were delegated to them. They legislated within limits fixed by the Imperial Parliament. The Senate had been spoken of as a safe-guard against the encroachments of the larger Provinces on the smaller. He did not understand how such encroachment was possible. No burden could be imposed on one that did not fall on the other. The only way this House could impose on them was by not giving them a proper share of the public expenditure, but that was a matter over which the Senate had no control. It would be a difficult matter to prevent conflicts from arising between the two Houses, but the House of Commons could at any time stop the supplies which they controlled. If the Senate were made elective, did any one suppose that the seventy or eighty members elected to that body would be better representatives of the people than the 206 members of this House? Or did any one suppose that the 206 members of the House of Commons would submit to be controlled by the 80 Senators if the latter were elected by the people? He looked upon it that the Senators were not to represent public opinion, but were to exercise judicial powers. He held that Senators who held their position for life were more independent of the popular will than the Commons, and, therefore, more likely to give a calm and unbiassed judgment on questions affecting the public mind. Therefore, he thought it better that they should be nominated as they were now, and that they should be elected as representatives of the people. There would be little difference between elections by the Local Legislatures and elections by the people directly. The majority supporting the Government of the day would elect their candidates. He regarded this resolution as a sort of want-of-confidence motion. It implied a doubt as to whether the Ministry would do justice. It had been asserted that the Senate was a useless body in legislation. He denied that. He held that many members of the Senate would be ornaments to this House or any other legislative body. There were gentlemen there who had taken a prominent part in public affairs for years, and who had breathed political being into many members of this House who had been disparaging that honorable body. He did not think it was wise in this House to depreciate the other branch of the Legislature. But, it was said, they had retarded legislation. Well, this House was responsible for that, in losing time in long debates in the early part of the session and rushing Bills through without giving them proper consideration. Would that be an argument for doing away with this House? If the Upper Chamber had not given as much attention to these measures as they ought to have done, it was the fault of this House. But hon. members should remember that measures were debated in this House before they were sent to the Senate, and they did not, therefore, require to be so thoroughly discussed in the Upper Chamber. He was opposed to the resolution, because he felt, if this right of appointing to the Senate were taken away from the Crown, there was but one link remaining connecting this colony with the Sovereign, and

that was the appointment of the GOVERNOR GENERAL. For thse reasons he would vote against the resolution.

Mr. APPLEBY said this proposition to change the Constitution should be considered with great care, and he would hesitate very much before giving his assent to it unless an agreement were made with the several Provinces and the Imperial Parliament for such a change as would not shock the political feeling of the Dominion at large. A question like this should be approached with very great delicacy, and he presumed the hon. member for Bothwell merely intended to have a full discussion on his resolution in order to prepare the country for a plan to be submitted at a future day. He had been told that some members of the Senate were very much offended at some of the remarks made last year during the discussion on this question. He regretted this, and believed that this matter could be discussed in a gentlemanly manner so as not to give offence to any one. If there was weight in the arguments used in favor of this resolution, he held that there was patriotism enough in the other House to vote themselves out of existence. It was assumed that our Constitution was modelled after the Constitution of Great Britain. Under that Constitution the people of Great Britain had prospered, and grown, reaped as much happiness and attained as high a standard of civilization as any other nation, but it did not follow that this was precisely the form of Government which was suited to this country. The Constitution of Great Britain grew up out of conditions and circumstances of the people which did not exist here at the present day. In the Mother Country there were the House of Commons and the House of Lords, the former representing the great mass of the people, the latter the nobility and the great landholding interests of the country. There was, therefore, a necessity for two Legislative bodies. In this country there was no such state of affairs. We had no nobles, earls, lords, or dukes. It was true we had a few knights, but though they were remarkable men, there was no particular necessity that they should be represented, especially as they were past middle age, and, the feeling of the country being against titles, there would be few, if any, more created. Having no lords, there was no necessity for a House of Lords, It was a well known principle that when the reason for a law ceased to exist, the law itself should also cease to exist. In this country there was no necessity for a second body, except to put a check on hasty legislation. If we were to have a second Chamber, which he did not think the country required, let us have it established on more common sense principles than it was based on to-day. It should represent the sentiments and ideas of to-day. We did not get such representation in the present way of constituting the Senate. He believed the present Senate was an abler body than it was likely to be 25 years hence under the present system, Senators being appointed for life. When the hon. member for Bothwell brought in his Bill he would be happy to give it his humble support.

Mr. BLAIN did not agree with the remarks made towards the members of the Senate at present in that body. He believed the Senate, as a whole, was perhaps the ablest body of men, considering its numbers, that we had in this country. There were some of them on whom the hand of time was now pressing, but there were very many of them very able and talented men, who had occupied the first positions in this country, and he, for one, disapproved of remarks made by some hon. gentlemen as affecting members of that House. Nevertheless, he felt it his duty to say that he believed the people of this country were not satisfied with the manner in which that House was at present constituted. They desired a change, and the only matter to be discussed was how that change was to be brought about. The only way was to petition the Imperial Government to amend the Constitution, and we could point out the manner in which we believed it should be done. He disapproved of the election of Senators by the Local Legislatures. They all knew perfectly well the difficulty the people of the United States had through this system. When our own Constitution was framed that difficulty was provided against by giving this House control in conflicts arising between the Federal and Local Legislatures. He did not feel disposed to interfere with that. He believed there should be a central power, and if we were to build up a great nation here, as he believed

we were some day, that central power should be held here. It was proposed that the separate provinces should declare how the Senators should be elected. In other words, there would be a power thrown into the hands of the Local Legislatures which would be equal to the power enjoyed by this House. That is, they would constitute one-half of the legislative body of this Parliament. We stood in an entirely different position from the people of the United States. New York State, with four millions of people, elected only two Senators; Quebec, with one-fourth of that population, elected 24. There would be no analogy whatever between the manner in which Senators were elected in the United States and the practical working out of the system proposed by the present resolution. Then, again, it did not appear on the face of the resolution whether it was intended there should be a uniform rule in the various Provinces. Ontario might adopt the plan of allowing the people to elect the Senator, while Quebec might elect them in her Local Legislature, and New Brunswick and Nova Scotia might adopt different rules. Now, if we were to make any alteration at all, we should settle upon one which would be applicable to the Dominion. What was proposed here was that this matter should go to the respective Provinces to be dealt with by them in whatever manner they might think fit. He did not approve of that. There were different modes, of course, by which the Senate might be constituted. If we wanted to carry out the analogy of the Imperial House of Lords, the Senate should be constituted so as to represent property in this country. There must be a different franchise from that under which members of this House were elected. Another mode which might well be tested here would be to give, for instance in Ontario where twenty-four Senators are elected, each elector twenty-four votes, and allow him to poll them for whomsoever he pleased. That would be the minority system, and would be entirely different from the franchise for this House. But in any event the Senate should not be constituted in the same way as this House. With the present representation Ontario would have three Senators for eleven members of the Lower House, Quebec three to eight, and Nova Scotia five to nine. The territorial limits of the constituencies that would elect them, would therefore be on an entirely different basis, and require a different system. If he did not very greatly mistake the meaning of the resolution, he could not vote for it in its present form.

The House then divided, when the resolution was carried on the following division:—

YEAS:

Messieurs

Archibald,	Lajoie,
Borron,	Landerkin,
Barthe,	MacDonnell (*Inverness*),
Béchard,	Macdougall (*Elgin*),
Bernier,	Mackenzie (*Lambton*),
Blake,	Mackenzie (*Montreal*),
Bourassa,	Maclennan,
Bowman,	McCraney,
Campbell,	McDougall, (*Renfrew*),
Carmichael,	McIntyre,
Cartwright,	McIsaac,
Casey,	McKay (*Colchester*),
Cheval,	Metcalfe,
Church,	Mills,
Cockburn,	Moss,
Coupal,	Oliver,
Cushing,	Paterson,
Dawson,	Pelletier,
DeCosmos,	Pouliot,
Delorme,	Power,
De St. Georges,	Pozer,
Dymond,	Richard,
Fleming,	Ross (*Middlesex*),
Flynn,	Ross (*Prince Edward*),
Fournier,	Ryan,
Galbraith,	Rymal,
Gibson,	Schultz,
Gillies,	Scriver,
Gordon,	Shibley,
Hagar,	Sinclair,
Holton,	Smith (*Peel*),
Horton,	Stirton,
Huntington,	St. Jean,
Irving,	Taschereau,
Jette,	Tremblay,
Jodoin,	Trow,
Killam,	Yeo,
Laflamme,	Young—77.
Laird,	

NAYS:

Messieurs

Appleby,	MacMillan,
Aylmer,	Masson,
Baby,	McCallum,
Bertram,	McDonald, (*Cape Breton*),
Biggar,	McLeod,
Blain,	McQuade,
Borden,	Mitchell,
Bowell,	Moffat,
Brouse,	Monteith,
Brown,	Mousseau,
Bunster,	Murray,
Burpee (*St. John*),	Orton,
Burpee (*Sunbury*),	Ouimet
Cameron (*Cardwell*),	Palmer,
Caron,	Perry,
Casgrain,	Pickard,

Cauchon,	Platt,
Cimon,	Plumb,
Coffin,	Ray,
Costigan,	Robitaille,
Currier,	Roscoe,
Desjardins,	Ross (*Durham*),
Domville,	Rouleau,
Farrow,	Scatcherd,
Ferris,	Skinner,
Flesher,	Snider,
Forbes,	Stephenson,
Fraser,	Thibaudeau,
Gaudet,	Thompson (*Cariboo*),
Gillmor,	Thompson(*Haldimand*),
Goudge,	Thomson (*Welland*),
Greenway,	Wallace (*Albert*),
Hall,	Wallace (*Norfolk*),
Harwood,	White,
Kirk,	Wood,
Lanthier,	Wright (*Ottawa*),
Little,	Wright (*Pontiac*)—74.

The House then went into Committee of the Whole, Mr. Young in the chair.

Mr. MILLS said the course he intended to pursue was the same as he had taken last year under similar circumstances. The House had committed itself to the principle that a change was desirable in the Constitution of the Senate — there could be no doubt about that proposition. The House had affirmed that the Constitution of the Senate was inconsistent with the principle of our Federal Government, and some change should be made which would give to each Province the appointment of its Senators. It was now for the Committee to decide what shape could be given to that proposition. He submitted last year for their legislation a series of resolutions for the purpose of giving effect to the principle which had just been affirmed. He intended to pursue the same course on the present occasion. He did not desire to proceed more rapidly than public opinion indicated that Parliament should proceed, and he had no intention of pressing the question to the extent that the Government should be bound to take it up in the meantime. It was highly important in all constitutional questions that we should proceed with deliberation, and that the people, whose representatives the members of the House were, should have the opportunity of discussing the various changes proposed, and of pronouncing upon them. He proposed to submit to the House a general scheme by which our Constitution could be amended, a scheme which provided that the number of Senators appointed on the existing principle should be reduced in proportion as the present members died, so that there might be no interference with vested rights. In order that the House should have the fullest opportunity of considering his proposal, he thought that in the meantime, the set of resolutions which he had framed should be printed; and he therefore moved that the committee rise and report progress and ask for leave to sit again.

Hon. Mr. CAUCHON admitted that the hon. member for Bothwell had gained a very great victory, but suggested that as there were at least seventy members absent, the vote was not fairly representative of the opinions of the majority of the House. The majority was only three. When the House was so nearly divided, he thought the hon. gentleman should not persist in pressing his resolution before the committee, but should give an opportunity for public opinion to mature.

Hon. J. H. CAMERON (Cardwell) contended that as the House had affirmed the principle of a change in the Constitution by a majority of members and a majority of the Government having voted in favor of it, the further prosecution of the scheme should be left in the hands of the executive. If the vote just given could be fairly supposed to reflect the opinions of the country and if the proposed change were as admirable as the hon. member who moved it appeared to think, it was the duty of the Government to direct the further movements necessary to its being placed upon the statute book. He hoped at least the House would have an opportunity of seeing the resolutions printed. He felt satisfied that the judgment of the whole House had not as yet been pronounced upon the matter, and if it came up again during the session there was certain to be a further struggle. He could not help feeling that it was strange this should occur twenty-one years after the principle which it affirmed had been originally adopted, and upon that occasion he had expressed the opinion that if he lived to the ordinary term of life he had no doubt that he would see a measure carried making the Legislative Council nominative. It was strange that he had lived to see the principle of a nominative Senate voted down again; it showed how capricious was public opinion, and what curious changes took place. He would assure his

hon. friend, however, that he had advanced but a very short distance on the road along which he was travelling. It was very kind in the hon. member for Bothwell to permit the Senators to live out their little day; but if he had put the case more strongly, the Senators would have been very likely to object to it. When we remember how many of those Senators had played an important part in the political affairs of the past, how many of them had been elected members of the Legislature for their Provinces and the old Province of Canada, it was hardly likely that their connection with public affairs would be terminated so quickly and easily as the hon. member appeared to anticipate. He complimented the hon. member for Bothwell on the manner in which he had submitted the question to the House in calm temper and gentlemanly language. In reaching the point at which the hon. gentleman had arrived, he had undoubtedly secured a great victory. The Committee should rise and report progress, and the duty of placing the position before the country and obtaining public opinion thereon would devolve upon the hon. member for Bothwell.

Hon. Mr. MACKENZIE, in reply to the remarks of the hon. member for Cardwell, in reference to the position of the Government, stated that the Government, as a Government, had taken no position on this vote. He had not discussed the matter before the vote was taken for the reason that he thought it most desirable that an independent opinion of the House should be expressed in such a way that there could be no party pressure of any kind placed upon any member, and he did so the more readily because he had always admitted that this was a matter for speculative opinion. When the subject was discussed in the old Parliament of Canada in 1865 he had stated:—"There is evidently room here for great latitude of opinion as to the Constitution of the Upper Chamber, and I do not think we can be fairly charged with retrogression because we choose to make the members of the Upper House nominative instead of elective." He was discussing at that time, the Constitution of the various Second Chambers in different parts of the world and pointing out the mode in which they were respectively constituted, and he stated:—"Our people comprise but one class, and if the members of the two Chambers are to be chosen by the same electors, it is very clear that it would be extremely difficult for both to maintain their individuality, possessing similar powers and privileges, and avoid collision. It is evident that two Chambers which have originated in precisely the same way will claim to exercise the same rights and privileges, and to discharge the same functions; but were the Upper Chamber nominative instead of elective, the jurisdiction of that Chamber would be, of course, correspondingly changed, and the chances of collision made more remote." On one or two occasions since then he had expressed the opinion that the view he then took had not turned out as he expected. He did not mean at all to reflect upon any member of the Upper House, or to express any opinion upon the wisdom of the course they had taken, but he wished merely to express the opinion that in the light of our experience he did not believe that the power of nominating Senators should remain in the hands of the Government of the day. He was committed to no particular scheme; he was merely committed to the principle that it was desirable that there should be a change in the mode of constituting the Senate, and it would be the duty of the Government to consider, in the first place, whether public opinion throughout the country was in such an advanced state as to justify the Government in proposing a change to the Legislature, and when they were satisfied of that it would be their duty to use that public opinion in order to procure such a change as would fairly meet the views of the country. Although the majority for the resolution to-night was very small yet he was inclined to think it would have been larger rather than smaller if the House had been full. He had merely to say in reply to his hon. friend from Cardwell that he might depend upon it the Government would not shirk their full responsibility in this matter whenever they thought the proper time for action had arrived. At present he quite approved of the course which his hon. friend from Bothwell proposed to take, viz., having carried his motion and submitted his plan to the House, to proceed no further at present.

Hon. Mr. BLAKE observed that after the announcement of the First Minister

and the observations of the member for Cardwell the way was clear for the adoption of the course indicated by those gentlemen. In his opinion it would be well for the member for Bothwell to submit the details of his proposed plan to the House and the country, and then allow the matter to stand for further consideration. He fully agreed with the remarks that had been made in reference to the wisdom of proceeding slowly in matters involving constitutional changes, and, therefore, he approved of allowing the matter to stand over this session.

Hon. Mr. MITCHELL said that it was with great surprise and regret that he found the Government had allowed a matter involving so important a change in the constitution of our country to go to a division without a single word from them in reference to their own position. He held that it was the duty of the Government to lead the House on a matter of so great importance. He believed that upon more mature consideration the decision of the House would not be sustained, and he therefore approved of the suggestion that the resolution be laid upon the table for future consideration. No case had been made out against the present mode of constituting the Senate, and he sincerely hoped that the Government would pause before they took any action in this matter. Perhaps the time might come when the Constitution of the Senate might be required to be changed, but that would not be while we occupied our present position in relation to the British Empire. But there was no necessity for a change now. There had been no agitation in the country for it, and there had been no dead-lock between the two Houses which might supply a reason for such a change. He deeply regretted the vote which had been passed, as it would create an impression that our Constitution at this early period needed to be changed, and thereby would cast a reflection upon those who framed it. He regretted also that harsh expressions had been used in reference to the present Senate in the course of the debate. From his own personal knowledge, he could bear testimony to the ability, the independence and the sincerity with which the members of that body fulfilled their important functions.

Hon. Mr. HUNTINGTON said it was a mistake to suppose that the resolution before the House was an attack upon the Senate. It had been stated on high authority that responsible government was on its trial throughout the empire, and the Senate, theoretically, might well be upon its trial without Senators being attacked. They did not require the compliments of the hon. member for Northumberland, as they were respected in their high position by all the members of this House. All that was done to-night was to record the opinion which had been recorded in old Canada over and over again that the nominative principle of constituting the Senate was not the true principle. The Senate was a very distinguished body, but if there was an element of weakness in the Constitution it was not fair to assume that the people's representatives who ventured to discuss it were treating disrespectfully the members of the Senate.

Mr. DYMOND said he did not rise to continue the discussion, but merely to say a few words in regard to an allusion that had been made to him in the early part of the debate by the hon. member for West Toronto, who had unintentionally placed an opinion in his (Mr. DYMOND'S) mouth which he had not expressed. It was quite true that when this subject came up for discussion a year ago he had in a few hurried remarks alluded in somewhat strong language of condemnation to the system of an Upper Chamber, and in still stronger language to the experience we had of an Upper Chamber since Confederation. He did not, however, express the opinion then that the Upper Chamber should be abolished. He did not know to what his argument pointed, but he was careful to avoid coming to that conclusion. At the same time he would state frankly that theoretically he disbelieved in the necessity for a second Chamber. He would be glad to see the second Chamber abolished, and he did not believe that the country would suffer if that were done. He was equally certain, however, on the other hand, that neither the public opinion of the whole Dominion nor the feeling of security in the several Provinces, especially in the smaller Provinces, would be consulted by any act of that kind; and he had therefore, desiring to influence practical rather than theoretical legislation, recorded his vote for the resolution.

Hon. Mr. MITCHELL observed that he had spoken of the Senate as he had found it, not because he thought they needed any defence, but in answer to the very harsh and severe expressions which had been used towards that body by the member for Bothwell and others.

Mr. MILLS said he had been accused of using harsh language towards members of the Senate. He certainly thought the Senate was defective in regard to its present constitution, but he had not brought any charge against any of its members, though he had used some pretty strong language with reference to the manner in which the hon. member for Northumberland and his colleagues had made certain appointments to that body.

After a few remarks from Hon. Mr. MITCHELL and Mr. PLUMB, the Committee rose and reported progress, and

On motion of Hon. Mr. MACKENZIE the House adjourned at 11.10.

CORRECTIONS.—The following corrections in the addresses of Messrs. MASSON, DESJARDINS, GAUDET and CARON, on the amnesty question, have been handed to the Editor of the Debates, to be inserted as the correct expression of their views and opinions.—EDITOR.

M. MASSON—After the words "au meurtre de SCOTT" in the 3rd line of page 25 February 12th, add the following

"M. NAULT est un de ceux qui sont accusés d'avoir contribué à la mort de SCOTT, il est même actuellement sous les verrous, et si, ainsi que le dit M. le Ministre de la Justice, on ne doit pas demander que Lord Carnarvon dit ne vouloir accorder c'est-à-dire une amnistie complète; s'il faut que les inculpés subissent une peine semblable à celle imposée à M. LÉPINE, il est inutile de voter les résolutions du gouvernement. D'un autre côté si le gouvernement espère par ses résolutions, faire revenir les autorités impériales sur leur décision relativement à M. NAULT et aux autres inculpés, nous avons tout lieu de croire qu'il en ferait autant pour MM. RIEL et LÉPINE si nous le lui demandions."

M. DESJARDINS.—Page 30, 12th February in the 8th line, in lieu of the words, "*que nous avons prise*," insert the following "*que la Province de Québec a prise.*"

In the 29th line, in lieu of "*nos ennemis acharnés*," insert "*aux ennemis acharnés de l'amnistie.*"

After the words "*qu'elle me fait*" in the 32nd line add "*Ils sont logiques dans leur hostilite, mais cela ne doit pas m'empecher de l'etre dans la conviction ou je suis que MM. Riel et Lépine ne méritent pas le traitement qu'on veut leur infliger.*

M. GAUDET.—Page 30, 12th February in lieu of the words "*les hommes du passe ont fait des fautes*" insert "*Les hommes du passe peuvent bien avoir fait des fautes.*"

M. CARON.—Page 34, 12th February instead of the, "*Il espere que les memes difficultés reviendront l'année prochaine,*" insert the following "*Il sait d'apres ce que les hons. députés qui l'ont précédé ont dit, que les memes difficultès reviendront l'année prochaine.*"

HOUSE OF COMMONS,

Tuesday, March 2nd, 1875.

The SPEAKER took the chair at three P. M.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:

Mr. COCKBURN—To consolidate the enactments relating to the Northern Railway Company of Canada, and to provide for the consolidation of the loan capital of the company. In answer to the Premier he explained that this Bill was simply to re-arrange the capital and it was entirely independent of the Bill prepared partly, at the instance of the Government.

Mr. JONES (Halifax)—To incorporate the Anglo-French Steamship Company.

Mr. JETTE—To incorporate the Canadian Land Investment Guarantee Company.

Mr. JETTE—To incorporate the Metropolitan Insurance Company.

Mr. JETTE—To further amend the Acts 14 and 15 Victoria, Ch. 36, incorporating the Canada Guarantee Company.

Mr. DESJARDINS—To incorporate the National Insurance Company.

ADMINISTRATION OF JUSTICE IN NORTH-WEST.

Hon. Mr. FOURNIER moved for leave to introduce a Bill to amend the Act respecting the administration of Jus-

tice and the establishment of the Police Force in the North-West Territories. He stated that the object of this Bill was to amend only two clauses, 26 and 25 of the existing law. These two clauses were re-enacted almost entirely with the addition of some provisions respecting desertions, which were not made an offence in the present Act. and there was no provision for the punishment of deserters. The present Bill made desertion an offence punishable by fine. Under the present law the Commissioner alone had the power of punishing offences. By the present Bill it was proposed to extend that Bill to the Assistant Commissioner and other officers in command, so that any commanding officer in an isolated position would have the same power as the Commissioner in relation to the offences mentioned in the Act. The second clause of this Bill, amending Section 25 of the present act, provided that any deserter found in any of the Provinces might be sued, fined and imprisoned for his offence.

Bill read a first time.

SALARIES OF JUDGES.

Hon. Mr. FOURNIER moved the House into Committee of the Whole to consider certain resolutions on the subject of the salaries of the County Court Judges of the Province of Nova Scotia; also to consider certain resolutions respecting salaries proposed to be paid to the Chief Justice and Judges mentioned in the Bill No. 31 to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada. Mr. SCATCHERD in the chair.

Hon. Mr. FOURNIER said that by an Act recently passed in the Province of Nova Scotia it had been provided that seven County Court Judges should be appointed, and for that reason it became the duty of Parliament to provide for the salaries of those Judges. By the resolutions which he would submit to the Committee those Judges would be placed on the same footing as the County Judges of Ontario and New Brunswick, their salaries, travelling and retiring allowances being the same. He proposed to change the resolutions so as to place the County Court Judge of the City and County of Halifax on the same footing as that of the City and County of St. John, who received $2,600 salary and travelling allowance, because the population of the two districts was about the same and about the same amount of business came before each Court. He therefore proposed the following resolution:

1. That it is expedient to provide that the salaries of the County Court Judges of the Province of Nova Scotia shall be as follows, namely:—

To seven County Court Judges, each, not less than $1,000, and not more than $2,000, to be fixed by the Governor in Council, and that a sum not exceeding $200 for actual travelling expenses to be fixed as aforesaid, may be allowed to any of the County Court Judges, except the County Court Judge of the City and County of Halfax, whose salary shall be $2,600.

2. That it is expedient to provide that the said County Court Judges shall be subject, as regards retiring allowances or annuities based upon their salaries above mentioned, as is provided in respect to County Court Judges in either of the Provinces of Ontario, New Brunswick or Prince Edward Island, by the provisions of the 37th Vic., Ch. 4, sec. 8.

Hon. Mr. BLAKE said that some years ago the salaries of the County Court Judges in Ontario were arranged upon the principle—although not with respect to figures—what was laid down in the resolution before the House—that was to say—that there was a certain minimum and maximum between which the Governor in Council was empowered from time to time to fix and determine their salaries. That plan had not worked well in practice. It was found that those persons who received increases of salary were not just the persons who were best entitled to them; and irrespective of that he thought there was a theoretical as well as a practical objection to the Judges being dependent for their salaries upon the good-will of the Government of the day. It was quite true, at this age of the world, that this objection was less substantial in practice than was formerly the case, but he did not know any sufficient reason why Parliament should delegate its powers with respect to the question of the salaries of the Judges, he advanced in this matter within the last two or three years under the late Administration to a more correct principle, and the salaries of the Judges in Ontario were not now determined on the principle laid down in this resolution.

There was a certain minimum salary fixed from which they increased after a certain number of years service to the minimum, so that the amount of salary was made dependent on their length of service and was therefore an automatic operation. Unless there was some special reason, of which they had heard nothing, why the same principle should not be adopted in Nova Scotia, he thought the policy pursued in respect to the County Court Judges in Ontario should not be retrograded from. He invited the attention of the Minister of Justice to these considerations and asked him to determine before the next step was taken, whether the Government could not apply to the Province of Nova Scotia, as well as to other Provinces, a general principle of gradual increase if that was a correct principle, and if it was not some modification of that principle.

Hon. Mr. FOURNIER said that when the Bill was prepared the salaries would be fixed.

Mr. PALMER asked whether the salaries of these Judges in Ontario did not in point of fact differ from the salaries of Judges in New Brunswick in this respect —while the salaries of the latter were fixed, the salaries of the former advanced according to age. That was his impression of the matter now, and he thought it was very desirable that they should be put on the same footing in all the Provinces.

M. CIMON : Il devra m'être permis de poser une question au sujet du salaire de certains juges de la province de Québec, savoir ceux des districts de Saguenay et de Gaspé, qui ont un salaire inférieur au salaire des autres juges de même jurisdiction. Autrefois cette différence pouvait avoir sa raison d'être, parce que les juges de ces deux districts avaient moins d'ouvrage que les autres juges. Mais maintenant que ces juges sont appelés à donner leur attention à des affaires aussi considérables que celles qui sont apportées devant les autres juges, leur salaire devrait être égal à celui de leurs collègues. Cela ne me parait que juste, et j'espère que l'honorable Ministre pourra me donner une réponse satisfaisante à cet égard.

L'hon. M. FOURNIER : La question de l'honorable membre n'a aucun rapport à la résolution maintenant devant le comité de la chambre. Si l'hon. député de Charlevoix désire avoir des renseignements à ce sujet, il devra faire une interpellation régulière, je pourrai me consulter avec mes collègues et lui donner une réponse à ce sujet.

M. MASSON : Il me semble que la circonstance justifiait pleinement le député de Charlevoix de poser sa question : car il s'agit d'une distribution d'argent et de l'augmentation du salaire de certains juges. La question posée par l'hon. député ayant précisément rapport à ce sujet, je crois que l'hon. Ministre de la Justice devait, suivant son habitude, donner une réponse plus satifaisante à la question qui lui était posée.

L'hon. M. CAUCHON : l'hon. député de Terrebonne doit observer que l'hon. Ministre de la Justice lui a aussi dit qu'il lui fallait se consulter avec ses collègues, avant de pouvoir répondre à l'hon. membre, ce qui est une réponse satisfaisante.

Hon. Mr. MITCHELL trusted the hon. Minister of Justice would amend his resolutions in accordance with the suggestion of the hon. member for St. John. The system of graduated salaries, of which he entirely approved, should be applied to the New Brunswick Judges as well as to those of Ontario.

Hon. Mr. BLAKE said it would be quite impossible to amend the resolutions in such a manner as to add to the charge on the country. The only mode was to introduce a new resolution.

Hon. Mr. MITCHELL thanked his hon. friend for the suggestion. He did not so much care how it was done as to have it done.

M. TREMBLAY : Puisqu'il s'agit du salaire des Juges, je ferai au Gouvernement actuel la question que j'ai faite au Gouvernement précédent. Je demanderai donc pourquoi le Gouvernement n'augmenterait pas aussi les salaires des Juges de Bonaventure et de Gaspé. L'Administration précédente m'avait répondu que ces Juges ayant moins d'ouvrage n'avaient pas droit à un salaire aussi élevé que leurs collègues plus occupés. N'ayant pas trouvé cette raison suffisante dans le temps, je voudrais savoir ce que le Gouvernement actuel pense faire à ce sujet.

M. CIMON : le député de Charlevoix posant au Gouvernement la question que je lui ai posé sans résultat, l'hon. Ministre de la Justice lui donnera sans doute une réponse plus complète et plus satisfaisante que celle qui lui a été faite à lui-même.

L'hon. M. FOURNIER : Je ne suis pas en état de donner au député de Charlevoix une réponse autre que celle que j'ai donnée il y a un instant au député de Chicoutimi. Ma réponse est la même et le cours à suivre est le même pour l'un que pour l'autre.

Mr. GOUDGE said he could see no reason why the Judges of Halifax City and County of Halifax should receive higher salaries than any other Judges in Nova Scotia, and suggested that they should receive the same amount for their services. He gave notice that he would lay his views on the subject before the House at a future stage of the measure.

Hon. Mr. BLAKE called the attention of the hon. members for Northumberland, (N. B.) and the City and County of St. John to the fact that the Act of 1873 placed the Judges of New Brunswick on precisely the same footing as the Judges of Ontario.

Hon. MITCHELL said the Act referred to had entirely escaped his notice.

Mr. JONES (Halifax) in reply to the hon. member for Hants explained that it had always been the policy of the Government in appointing Judges to so large a place as Halifax, to give them something more than rural Judges. It was so in the city and county of St. John as well as in the city and county of Halifax. He quite approved of this policy, and so would the hon. member for Hants if he knew the difference in expense between living in a large city and living in the country.

It was agreed to amend the first resolution so as to fix the salary of each of seven County Court Judges at $2,000.

The Committee then rose and reported the resolutions. Concurrence to-morrow.

SALARIES OF SUPREME COURT JUDGES.

Hon. Mr. FOURNIER moved that the House do on Thursday next resolve itself into Committee of the Whole to consider certain resolutions respecting salaries proposed to be paid to the Chief Justice and Judges mentioned in the Bill to establish a Supreme Court and a Court of Exchequer. —Carried.

POSTAL REGULATIONS.

Hon. D. A. MACDONALD moved that on Thursday next the House do resolve itself into Committe of the Whole to consider certain resolutions for the purpose of amending the Act 31 Vict., Chap. 10, for the regulation of the Postal Service.—Carried.

SALARIES OF PENITENTIARY OFFICERS.

Hon. Mr. FOURNIER moved that on Thursday next the House do resolve itself into Committe of the Whole, to consider certain resolutions respecting the salaries proposed to be paid to the officers mentioned in the Bill respecting penitentiaries and the inspection thereof.—Carried.

MARINE ELECTRIC TELEGRAPHS.

On motion of the Hon. Mr. MACKENZIE, the House went into Committee of the Whole on the Bill to regulate the construction and maintenance of Marine Electric Telegraphs (Mr. JETTE in the Chair). The Committee rose and reported the Bill without amendment, and the Bill was read a third time and passed.

SUPPLY.

Hon. Mr. CARTWRIGHT moved that the House go into Committee of Supply.

Mr. JONES (Halifax), said he desired, before the motion passed, to bring before the notice of the Government and the House the case of a public servant who, in his judgment, had been hardly dealt with by the Government. It would be remembered perhaps by some of the older members of the House that about three years ago he presented a petition to the House on behalf of Mr. EDWARD DUCKETT, who for forty-five years had been connected with the public service in Nova Scotia. After that length of service he became unequal to the task (he was in charge of the Savings Bank), and previous to the Union, the then Government of Nova Scotia suggested to him that he should retire from his responsible position and have his name attached to the Custom service in Nova Scotia at the reduced salary of £150. This was done on the understanding that no duty was expected of him, for it was well known that he was no longer fit for active service. He (Mr. JONES) presented a petition to this House setting forth the facts of the case, and the Government of the day promised to take the subject into their consideration. It should have been stated that at the date of Union the Government found Mr. DUCKETT' name on the list of officials at Halifax, and they superannuated him at $600 instead

of $1,200, which was the allowance agreed upon by the Government of Nova Scotia. Many hon. members would recollect the circumstance, and the members of the late Government would also know that Mr. TILLEY had written a letter to Mr. DUCKETT on the subject. It was to be regretted that the hon. member for Cumberland was not in his place, as he was well acquainted with the circumstances. He (Mr. JONES) now desired to bring the subject before the House and the Government. Mr. and Mrs. DUCKETT were very old people, some 75 or 76 years of age, and they were reduced almost to a state of penury. It would certainly not be the wish of the House or the Government that any one who had served the country for nearly half-a-century should suffer any injustice. A copy of the petition referred to had been placed in the hands of the Minister of Justice last year, and if its contents were examined every member of the House would be convinced that Mr. DUCKETT was really entitled to the additional allowance claimed.

Hon. Mr. MACKENZIE said he recollected that the hon. member brought this matter before the House some two or three years ago, but he was not aware that it had not been settled until the hon. gentleman mentioned it to him privately last night. He would see the hon. member for Cumberland concerning it. It was impossible they could give Mr. DUCKETT anything more than the present allowance under the Superannuation Act, because all allowances of that nature were governed by Statute. There might be a method, however, of doing what was thought to be just and of fulfilling any arrangement made by the Government of Nova Scotia. It would be better to place Mr. DUCKETT's name on the pension list, for which of couse a direct vote of the House would be necessary. He (Mr. MACKENZIE) would look into the matter before to-morrow afternoon, and would then be able to say what could be done.

The motion was then carried.

The House went into Committee of Supply.

Mr. SCATCHERD in the chair.

Item 69, $915,000, Intercolonial Railway, was passed without discussion.

On item 70, $139,000, Extension into Halifax,

Mr. JONES (Halifax) inquired what the Minister of Public Works intended doing with reference to wharf accommodation at the centre of the city. It was proposed by Mr. BRYDGES to acquire the Queen's Wharf property, which was believed to be the cheaper expedient than carrying the road into the centre of the city. He desired to know what steps had been taken in the matter.

Hon. Mr. MACKENZIE said the plan decided upon last year was to have the passenger station located between Water street, Lockman street, and North street. It was proposed that heavy freight should be conveyed between the wharves at Richmond station and this point by means of tugs and barges. At that time it was supposed that the Queen's wharf could be obtained from the Imperial Government. Upon application being made to that effect, however, a reply was received that they were willing to give it, provided accommodation were given them (the Imperial authorities) elsewhere. This was of course impracticable, and the necessary wharf accommodation would therefore have to depend upon arrangements yet to be made.

The item was carried.

On item, 71, $200,000, increased Intercolonial Railway accommodation at St. John, N. B.,

Mr. PALMER inquired where this additional accommodation was to be had, and whether the Government had the same plan in view as formerly. He desired to know why it was that the Government had not made available the ballast wharf.

Hon. Mr. MACKENZIE said the Government did not take that property because they could not get it. He might state that the property offered by the city was in the first place utterly useless, and in the second place the price was far beyond what was deemed proper. The proposal to have the terminus at Rankin's wharf had many advocates, and it seemed to him (Mr. MACKENZIE) to be the best place. There were some objections raised to it in connection with the navigation of the river, but he thought they could be overcome. There was no actual suffering in the meantime for want of the increased accommodation, and there was no reason for hurrying. As soon as the city would make a suitable proposition it would be attended to. Two places were suggested for building the bridge. According to

one, it was proposed to bridge the river near the Suspension Bridge, forming a connection with the Western Extension. The Government had had some communication with the railway companies in the city and with the Western Extension to ascertain to what extent they would be disposed to assist in bridging the harbor to Navy Island or at the Suspension Bridge, the latter of which projects was thought most advisable. These communications hod not yet resulted in anything, and it would be some time before it would be possible to say whether anything would come of them or not. This arose largely from the great depression in railway business in the United States and Canada. The Government, in the meantime, had taken some steps regarding the property at the Rankin wharf, to see whether they could not have their deep-water terminus there. The matter was not yet decided, and it had not yet been settled whether it would be most convenient to go there or to the place originally proposed.

Mr. PALMER said he was satisfied that both the terminus at the Rankin Wharf and a bridge at Navy Island would be an advantage. He did not see why the Government should not have the power to take the property at the Ballast Wharf, for he believed the Board of Works Act gave them such power. That Act provided that a person should be appointed by the Government to value the property, and the city would have to hand it over at his valuation. He thought it would be a pity that the Ballast Wharf should be abandoned, as a large sum had been expended in completing a line of railway through the city to that place. He was glad that the Government had not come to any final decision on the subject, and he urged upon them to locate the terminus at the Ballast Wharf, and bridge the River St. John at Navy Island. He hoped before any other conclusion was arrived at that most ample inquiry would be made. The people were desirous that something should be done in the matter soon, but they were opposed to anything that would be likely to militate against the navigation of the river or the usefulness of the harbor.

Hon. Mr. BURPEE said the last correspondence had been between the Corporation of St. John and the Public Works Department. Since that time the Corporation of St. John had never raised the question in respect to the Ballast Wharf, and if he understood the feeling aright, it was because of the movement made to place the harbor of St. John under commissioners. In respect to the bridge across the river he believed the proper place would be near the falls.

Mr. PALMER said the officers of the city understood the correspondence was closed.

Hon. Mr. MACKENZIE remarked that $20,186 of the sum placed to that item was due to the representatives of the estate of ROBERT F. HASTINGS for the purchase of five acres and a half of land taken in the city of St. John. The representatives of the estate had, for some unexplained reason, not called for the payment, and the Government had decided to formally tender the amount.

Item carried.

On items 73 and 74, Lachine Canal $1,600,000 ; St Lawrence Canals $1,000,000.

Mr. JONES (Leeds) asked for explanations.

Hon. Mr. MACKENZIE said that part of the works at Lachine were under contract, one of the large basins was nearly completed and the excavation at the locks was almost completed, and the other basin would be proceeded with as soon as the Government could get the contract let. The work for the enlargement of the canal above that point was almost ready to be let. The Government had experienced great difficulty in having the works contracted for, pushed forward as rapidly as they desired, but they had endeavored to make the best possible arrangements in order to push the works to an early completion. The Government expected within less than two months to have the entire line under contract.

Mr. JETTE said he desired, while this item was under consideration, to offer some explanations with regard to a matter rather personal to himself, but which, from certain articles in the Opposition press, had become to some extent a matter of public interest. Last winter, with some friends, he purchased a tract of land on the Lachine Canal, and last fall they offered a part of this property for sale at public auction. He was accused by some of the Opposition press in the Province of Quebec with

having used his influence with the Government in order to obtain information in advance of their plans. He believed this was the proper place and time for him to make, as he did, a distinct denial of this charge, and to inform the House that he had demanded from some of these newspapers a retraction of the accusation they had made against him, and all except one had retracted, and against that one he had brought an action in the courts. He noticed, however, that another newspaper in Quebec had renewed the accusation, and he had finally decided to pursue the same course with regard to it that he had done with regard to the newspaper in Montreal. Some of the Opposition press had stated that this matter would be the subject of a Parliamentary inquiry, as soon as the House would assemble. No motion had yet been offered for such an inquiry, and he now desired to state that he would be very glad if an inquiry was demanded, and he would use whatever influence he might have with the Governmet to induce them to consent to such inquiry, in order that it might be shown that all these accusations against him were as false as he had always said they were.

Hon. Mr. MACKENZIE said that no such application as was stated had ever been made to the Government to purchase the lands of his hon. friend, or any other lands. No lands were offered and no information was asked for further than this: A map was brought showing lands that these parties had advertised for sale or were about to advertise for sale, and they wished to know whether the Government desired to obtain any land in that quarter, and, if so, whether their sale would interfere with any of the Government's plans. He informed them that the Government had not decided whether to enlarge the canal or make a new canal, and he therefore declined to offer any advice as to whether they should proceed with the sale or not. That was all that took place that he was aware of, and he was quite sure that nothing took place anywhere else than in his own office, so that the hon. gentleman was entirely clear of the remotest suspicion of wrong-doing in this matter.

Item passed.

Mr. Jette.

On item 74, for St. Lawrence Canals, $1,000,000,

Hon. Mr. MITCHELL asked for general explanations with regard to this item.

Hon. Mr. MACKENZIE said with reference to the Welland Canal,—the principal work in many ways because it was the only one which paid a considerable revenue over the amount expended in working it—nearly all the contracts were let providing for the construction of locks 270 feet long, 45 feet wide and having 12 feet of water on the mitre sills. The work was making satisfactory progress and during the coming year a very large portion of it would be completed. On the St. Lawrence proper, between Prescott and Montreal, we have the Williamsburg and Edwardsburg Canal, the Cornwall, the Beauharnois and the Lachine Canals. The Government were still considering what steps they should take in the public interest in regard to several of these works. On the Lachine Canal, the plans and specifications for the work were nearly completed, the report of the engineer having been made some time ago. The contract would be let in accordance with the plan sketched as to the size of the locks and prism of the canal early in the spring. With regard to some of the minor canals, such as that at Williamsburg and Pointe Aux Iroquois, comparatively little expense would be incurred, but the plans were not yet completed. There was one serious difficulty in connection with the depth of water in the river itself. At one place near Prescott there was a very serious shoal in the river which must be cut through to give a channel of fourteen feet. This would be necessary to supply twelve feet of water at all times as the depth was materially affected by the wind. The expenditure at this place would reach $500,000. The next point, coming downward, where a serious impediment was met in the river was immediately at the upper end of the Beauharnois canal. In order to obtain the necessary depth of water in the channel, an expenditure of over $500,000 would be required. Expensive dredging would also be necessary between Beauharnois and Lachine, involving an outlay of nearly half a million more. So that in deepening the river itself, apart from any improvements in the canals,

an expenditure of $1,500,000, in round numbers, would be incurred. In answering a question, the other day, in reference to the depth of water on the mitre sills of the canals, he stated that it was inexpedient to attempt to obtain more than twelve feet, the reason being that it would be difficult to get fourteen feet of water in the river itself. The Government did not consider it expedient in the public interest that they should endeavor to obtain more than twelve feet. It would not be at all impossible to get fourteen at a future time if it should be found that the traffic of the country required it. For the present the Government intended to confine themselves to the operations indicated. He had also stated on a former occasion that there was no very particular hurry with the works on the St. Lawrence Canals, between Prescott and Lachine, until the Lachine works, which were the heaviest, were completed. He had merely given a general explanation, and was prepared to answer any specific question.

Mr. LANTHIER said as a report on the proposed extension of the Beauharnois Canal had been prepared, he would like to know what would be the length of the line adopted.

Hon. Mr. MACKENZIE said the engineer reported as follows :—

"Between Lachine and Beauharnois, through Lake St. Louis, a distance of about 15¼ miles, there is abundance of water, except at a few places, through the shoals on which the light ships are moored. These are of a nature, however, that can be readily removed. But at Lachine a rocky shoal extends out for a considerable distance, so that it becomes questionable whether the present entrance should be deepened or a new outlet formed about 1¼ miles higher up. Two lines were lately surveyed on the north shore of the St. Lawrence opposite the Beauharnois Canal, both commencing at McIntyre's Bay, a little below the old steamboat landing and the lower entrance of the Ordnance Canal at the Cascades. One line passes chiefly on the upland, and is about 14½ miles in length, with 7 locks, 5 of which are of 14 feet lift, 1 of 11½ ft. lift, and the guard lock 1 to 5 ft. lift. Estimated cost, including tow-path, $3,360,000. The other line, which is suitable only for tug navigation, passes through Chambery and Riviere à la Graisse Gullies, and is about 14¾ miles long, with seven locks of the same respective lifts as those of the other line. Estimated cost, $3,000,000. Another line adopted exclusively to steam navigation, was examined with a view of utilizing that part of the River St. Lawrence between the Coteau and Cedar Rapids. Apart from permanent objectionable features met with on this route, the probable expenditure necessary to render it navigable is greater than required on the last of the two lines above described."

Mr. LANTHIER said this contained no reference to the expense of re-constructing the Beauharnois Canal or of making harbors. There was no harbor, no depth of water, and no channel at either end of the canal. The engineers had ascertained that the only available channel for vessels drawing twelve feet of water was on the north side of Lake St. Francis. Vessels entering the canal had to pass by that channel and cross the lake to the other side. The experience of navigators had shown that there was no way of making an entrance at the west end of Beauharnois Canal unless it was done at an immense expense. The bottom was of solid rock, and this was so well known that the Chief Engineer of the Public Works Department had given instructions to run an extension line about two miles from the present entrance through the back country to give the canal a new outlet. With the extension below, it would be some three miles longer, giving about seventeen miles of canal, and that he believed was the shortest distance. The Committee would like to know what would be the expenditure on the Beauharnois Canal on this new plan, and the means of having a harbor at each end. It was always practicable to make a ditch through a country, but if vessels could not reach it, it would be of no use for navigation. That was precisely the difficulty with the Beauharnois Canal. There was nothing in the report which had been read to explain to the committee what was to be done to ascertain whether it would be possible to deepen the channel on the south side. He had come to the conclusion that it was a matter of utter impossibility to obtain the proper depth of water there unless at an immense cost—at a greater expenditure, in fact, than would be incurred in constructing a new canal on the north shore. To re-construct the Beauharnois Canal would interfere with trade for one year at least, which would not be the case if a new canal were built on the north shore. The ice remained longer on the south than on the north shore. In fact last summer seven or eight vessels were moored alongside of the ice, and the Government had to obtain the services of a large number of men with saws and axes to cut the ice and open the

channel. At one time there were no less than two hundred men thus employed, while on the north shore there was no such impediment to navigation. By constructing a canal on the north shore, navigation could be opened six days earlier in the spring, and it would continue six days later in the fall. It had happened that vessels, on arriving at the Beauharnois Canal late in the fall, were obliged to return to Prescott and tranship their grain to the Grand Trunk Railway to be forwarded. By opening a canal on the north shore, twelve to fifteen days navigation could be gained each year. These were considerations which he had no doubt, would be well weighed by the hon. Minister of Public Works before he concluded which route should be chosen.

Hon. Mr. MACKENZIE said the report stated that twelve feet could be secured by the expenditure at the upper end of the canal of $500,000 and a similar amount on Lake St. Francis at the lower entrance to the canal. This was the engineer's estimate, and he was usually above the mark in his estimates. With regard to the canal on the north side, it should, no doubt, have been placed there in the first instance, but he was not prepared to say whether it should be built there now, or that the old one should be enlarged. The estimate for the new canal was $3,500,000.

Mr. McCALLUM called the attention of the Government to the necessity of feeding the Welland Canal from Lake Erie instead of Grand River. A work for that purpose was commenced some years ago, and completed all but one thousand yards of excavation. A subsequent report by an engineer showed that the feeder could be completed for $60,000. It was doing an injustice to the mill owners on the Welland Canal to delay this work so long. Years ago they invested a large amount of capital on the line of the canal, expecting to find a sufficient supply of water there. Now, they had not water enough for four months of the year, and still the Government collected full rates. If the Government did not take steps to complete this work, the present canal would be useless. With another dry summer there would not only be a deficient supply for the mills, but not enough even for navigation purposes. Again, in Port Colborne harbor there was not sufficient water to admit vessels drawing ten feet of water. In 1871 he drew the attention of the Government of the day to this matter. At that time they let the contract for removing rock from that harbor. He predicted then they would fail in the work, and that prediction was verified. At the same time they decided to deepen the feeder of the Welland Canal. They expended between $150,000 and $200,000 on this work, to draw water from the pond on Grand River. They got eleven feet at high water, but there was a depth of only seven feet over the culverts, and the feeder was only twenty feet wide at the bottom. Take an ordinary-sized vessel into this cut and it would stop the water supply, and it was therefore useless for purposes of navigation. He regretted to hear the Minister of Public Works talk of deepening the Welland Canal to twelve feet instead of making it fourteen feet, which could be done by getting the water supply from Lake Erie. The promise made to his (Mr. McCALLUM's) predecessor by the Government, that they would examine this question and cause a survey to be made of the two routes, had not been fulfilled.

Hon. Mr. MACKENZIE—We have not had time.

Mr. McCALLUM said the contracts should not have been given out until the examination was made. At Maitland harbor there was twenty feet of water, and the harbor was sheltered from the winds during all weathers. Last year it was charged against Port Colborne that there was a strong current in that harbor. The Grand River failed to supply the Welland Canal with water, and the balance was therefore drawn from Lake Erie, causing a current into that harbor. Another advantage possessed by Maitland was that the harbor was open two months earlier than that of Port Colborne. The canal policy of the present and the late Governments was directed by one-man power. While admitting that the official he had indicated was an able one, at the same time he disapproved of millions of dollars being placed in his hands to expend. Reports should be obtained from independent engineers, who were not pledged to a certain route. He trusted the Government would appoint a commission to inquire into the grievances alleged, in order that justice might be done.

Mr. THOMSON (Welland) said that his intimate knowledge of the Welland Canal led him to understand that Port Colborne was the legitimate mouth of the canal. The hon. member for Monck had spoken for that part of the country in which he was interested. With respect to carrying out the improvements, he (Mr. THOMSON) was quite willing to leave the work in the hands of the Minister of Public Works and the Government engineers, for the Government were well aware as to what was required. With respect to the mouth of Grand River being open two months earlier than Port Colborne harbor, that circumstance was of no consequence because the ice held longer in the St. Clair River through which all the vessels had to pass. He desired, however, to direct the attention of the Government to the depth of water in the Welland Canal. An agitation had been going on for many years in favor of the construction of a ship canal round the Falls on the American side, and if the Welland Canal was only made to a depth of twelve feet an American canal of greater depth would be built. But if the Welland Canal were constructed of sufficient capacity to allow the largest ships to pass from Lake Erie to Lake Ontario, it was more than probable that a canal on the American side would never be built, and therefore the Welland Canal would prove a profitable work to the country. He had always been an advocate for so deepening the canal as to provide greater depth of water than twelve feet.

Mr. McCALLUM said it was in the interest of the whole country, and not merely of one section, that Port Maitland should be made the western terminus of the canal, and that the canal should be made fourteen feet deep. At any rate, if the canal was only to be made twelve feet deep, the mitre sills should be sunk fourteen feet so that subsequently the canal could be again deepened without moving the sills.

Hon. Mr. MACKENZIE said he considered it a mistake that water privileges on the Welland Canal had ever been granted; but the hon member for Monck was wrong in stating that those parties who had the water privilege had been compelled to pay the full amount. They might have been compelled to do so, as their lease simply gave them the surplus water; but their rents had been reduced in proportion to the time their mills had to remain idle. He was quite willing to cancel the leases altogether, and not require them to pay anything if they would let the water alone. With regard to the hon. gentleman's remarks about the proper entrance to the canal, he (Mr. MACKENZIE) must take the opinion of competent engineers in preference to that of the hon. gentleman.

Mr. KIRKPATRICK was sorry that the Minister of Public Works could not hold out any expectation that the Welland Canal would be deepened to fourteen feet. The additional expenditure which would be incurred by making it that depth would be small compared with the immense advantage it would give us in competing for the carrying trade of the west. From what he had been able to gather from the remarks of the member for Monck he supposed it was out of the question to get fourteen feet at the present entrance to the canal.

Hon. Mr. MACKENZIE—No, no!

Mr. KIRKPATRICK said he was glad to hear that such was not the case; and he hoped that the works now going on would be constructed with a view to increasing the depth to fourteen feet at no distant day. He would like to know from the Minister of Public Works if he could give an estimate of the cost of deepening the Welland Canal to fourteen feet.

Hon. Mr. MACKENZIE said he could not do so at the present moment. He proceeded to say that the extra cost of deepening the canal to fourteen feet at some future time as compared with now would be very small. With regard to the present work, contracts were now given out to the extent of about five and a quarter millions. Two or three contracts were still to let; one had been kept back chiefly on account of the difficulty of crossing the Great Western Railway. The Government had proposed that the railway pass under instead of over the canal, and that arrangement was likely to be carried out, and that section would be placed under contract immediately.

Mr. KIRKPATRICK—When are these works on the Welland Canal likely to be completed?

Hon. Mr. MACKENZIE—I am not quite sure, but I think there is little doubt

that they will be finished before the end of 1876.

Item passed.

On item 76, St. Anne's Lock, $200,000, in answer to Mr. HAGAR,

Hon. Mr. MACKENZIE said this vote was for the work under contract. The total estimated cost of the whole work, including the upper entrance and excavating shoals below, was $466,200.

Mr. HAGAR—Is that all below the Locks?

Hon. Mr. MACKENZIE—No; the upper entrance is included.

Item passed; also items 77 and 78. On item 79, Rideau Canal, $8,000,

Mr. HAGAR asked the Minister of Public Works whether in view of the letters received by him written by Hon. Mr. LANGEVIN respecting the arrangement that was made between that gentleman when he was Minister of Public Works and the town of Perth, respecting the amount granted for a bridge across the Rideau Canal, the Government intended to pay the town of Perth out of this vote.

Hon. Mr. MACKENZIE said the Government had not decided to pay that amount. The whole question in controversy was this: an arrangement was made by which the Government was to pay $10,000 on condition that $8,000 was furnished from local sources. The bridge was supposed to cost $18,000. As a matter of fact it did not cost anything like that amount, and the Government felt themselves bound to pay only in the proportion of ten to eight. The town of Perth considered that they were only to pay whatever might be required over $10,000, and that the Government were bound to pay $10,000 although they were not bound to pay the $8,000; but he was not able to take that view of the matter.

Mr. HAGGART said the Government could not have had any misunderstanding about the cost of this bridge because the engineer before the contract was let reported to the Minister of Public Works that it would only cost between $12,000 and $13,000. The understanding with the town of Perth was that the Government would give $10,000, no matter what the bridge would cost.

Hon. Mr. MACKENZIE said he had stated twice last session that the Government had not determined to give that money, and he had not been able to see that the town had any claim to it.

Mr. HAGGART said in answer to a deputation, the Minister of Public Works had stated that he would take the matter into consideration.

Hon. Mr. MACKENZIE said he had not stated so. The deputation brought letters which he had not seen before from the late Minister of Public Works, which the deputation said admitted that he had made a promise to give $10,000. He (Mr. MACKENZIE) promised to look into that matter, but he held out no hope to the deputation that there would be the least likelihood of that amount being granted. He objected to persons out of office writing letters to endeavor to bind the Government to some verbal arrangement that did not appear on record, and he would not pay much attention to any such letters coming from ex-Ministers.

Mr. HAGGART asked if the Government would allow the town of Perth to bring an action against them for this claim.

Hon. Mr. MACKENZIE replied in the negative.

Item passed; also items 80 and 81.

On item 82, St. Peter's Canal, $75,000,

Mr. McKAY (Cape Breton) ssked when it was likely this money would be expended. The widening of this canal was a matter of very great importance to the people of Cape Breton, inasmuch as six or seven hundred vessels passed through there in the course of the month during which it was in operation.

Hon. Mr. MACKENZIE said this was a re-vote. Last season the attention of the engineer in the Lower Provinces was chiefly directed to harbor improvements. Late in the year, however, he received instructions to proceed to this work, and he (Mr. MACKENZIE) presumed they were now about ready to receive tenders for the work, and they hoped to have it well under way during the summer.

Hon. Mr. MITCHELL said he had visited that canal four years ago, and he satisfied himself that it was of great importance to the trade of the Lower Provinces.

Item passed.

The committee rose and reported progress, and it being 6 o'clock the Speaker left the chair.

AFTER RECESS

The House again went into Committee of Supply.

On item 83, Baie Verte Canal $1000,000,

Mr. MACDONNELL (Inverness) said that annually since 1872, an appropriation had appeared in the estimates for the construction of the Baie Verte Canal. The work was recommended by the Canal Commissioner appointed in 1870, and which reported in 1871. The report of that commission constituted the basis upon which the appropriation had yearly been made. The commission was appointed to consider the canal system of the Dominion and to inquire upon the different works. In proceeding to the discharge of their duty the commission very properly prepared a circular, in which they asked for information, copies of which circulars were sent to all the Boards of Trade in the Dominion and the Boards of the United States—to all the Canadian newspapers and the mercantile communities. The report of that commission was untrustworthy in two respects:—First, because it recommended the construction of the Baie Verte Canal on the assumption that it would cost only three and a quarter millions, while the report of the Engineer-in-Chief, recently laid before the House, placed the probable expenditure at eight millions; secondly, because it pretended to furnish information on the subject both *pro* and *con*. But it appeared that there was not a single letter from any individual who reported against the construction of the work. The report only contained the opinions of three gentlemen in Nova Scotia, namely, Hon. Mr. DICKEY, Mr. MACFARLANE and Mr. FAIRBANKS. This circumstance proved that the report of the commission was untrustworthy, and yet upon it the House, without any discussion, was called upon to vote a very large appropriation. He opposed the construction of the Baie Verte Canal on two grounds; first, he considered it was impracticable, and such was the opinion of celebrated engineers who had examined and reported upon it. Captain CRAWLEY, of the Royal Engineers, in 1825, examined and reported the work to be impracticable, as many others had done since. He opposed the work in the second place because, admitting that it was feasible to secure open navigation between Baie Verte and the Bay of Fundy, the cost would be more than its usefulness would warrant. If the work, however, was to be constructed at all the sooner it was undertaken the better, for every year the estimated cost increased. In 1825 the estimate of Mr. TALBOT and another engineer, was £155,897, or $700,000; while a few years afterwards when the Canal Commission proceeded to inquire into the project the estimated cost was placed at $3,215,000. Afterwards a report was made by Mr. KEEFER, who placed the cost at $5,000,000; and to-day the Chief Engineer of the Dominion said the work could not be carried out for less than $8,350,000, although he stated that a canal one-half the size of that proposed could be constructed for $7,700,000. The construction of the canal was recommended for various reasons by the commission. They said that it would open communication between old Canada and the Maritime Provinces by the Gulf of St. Lawrence. If, however, the canal was constructed vessels would only use it in going from the Gulf into the Bay of Fundy, and the canal would not be used in making any port east of Yarmouth. The Commission stated that the distance from the Gulf to St. John would be reduced 600 miles, but such was not the fact. the reduced distance not being more than about 400 miles. A further argument adduced by the commission was that the canal would remove obstacles to trade being carried on between Montreal and the Bay of Fundy. He did not, however, know of any trade that was carried on between these points, or that would ever be carried on between them; or that there was anything of importance to ship from the Bay of Fundy. Of course there was fish, and there were some grindstones; but surely the Dominion would not believe a canal costing eight millions of money, to ship a few grindstones, a little shad, and some pickled herrings, was a necessity. A further reason the commission gave was that the canal would afford an improved and shorter route between Lake Huron and Boston. But the people of the United States did not appear very anxious to promote or encourage trade relations with us; and even if they did, they derived an equal advantage from the trade with the people of Canada, so that if the canal was

essential to that trade, the people of the United States should contribute towards its construction. Moreover, any trade we had with the United States would go by the way of the Strait of Cauzo, and not by the tortuous and dangerous navigation of the Bay of Fundy. Again, it was argued that the coal, fish, and lumber trade of the Maritime Provinces would be benefited by the construction of the canal. He could not, however, understand in what way the fish trade could be benefitted, for if the Maratime Provinces exported fish to Ontario and Quebec, it was from the Gulf of St. Lawrence; and he could not understand either how the coal interests would be benefitted. It had been asserted by the Canal Commission that the coal of Cape Breton would go, not only through the Baie Verte Canal, but through the St. Peter's Canal; but that any of the coal of Pictou or Cape Breton should ever go through the Baie Verte Canal was absurd. As to the lumber interests of St. John being benefitted, he failed to understand how it would be profitable to send lumber from St. John to Canada, for it would be like carrying coal to Newcastle. A still further argument was this—that a shorter route would be found for fishing vessels sailing from Yarmouth to the Gulf, whereby those vessels would arrive at the fisheries one month earlier in the spring of the year. Yarmouth vessels left for the banks about the 1st of April, and remained there until June, and it was July before they entered the Gulf. The Canal Commission endeavored to find another argument for the construction of this work in the statement that the country contiguous to Baie Verte was unsurpassed, even by Quebec and Ontario, for its agricultural produce, and for the fertility of its soil. It would, however, again be sending coal to Newcastle, to ship agricultural produce from any part of the Maritime Provinces to Ontario. Although it was asserted thas the work was intended to benefit the Maritime Provinces, not a single favorable reply to the Canal Commission's circular was received from Nova Scotia, and the only three gentlemen who recommend it do so in very mild terms. He desired to see laid on the table of the House the answers forwarded to the commission by merchants, shipowners and newspaper editors of that Province. It was said, however, by some that the expenditure of eight millions of dollars in Nova Scotia was a desirable object. He admitted that they desired money to be expended in that Province, and while he protested against the expenditure on the Baie Verte Canal, and hoped the Government would this year strike the proposed appropriation from the estimates, he trusted they would grant the same amount of money to the Province, to be expended on works that were required, and which would not only be a benefit to the Maritime Provinces, but to the whole Dominion. A great many interests in the Maritime Provinces were suffering from want of the usual aid by the the Government. One-third of their export trade was in fish, yet almost nothing had been done on benalf of that class of men who made their living on the dangerous deep. If some hon. gentleman who lived in Ontario, and who probably never saw a fishing smack in their life, had only the opportunity of witnessing the sad sight of taking up a dozen dead bodies at one time—all dead on account of the absence of proper harbor accommodation—they might change their opinions somewhat. The country was expending large sums of money for the purpose of building up an army, but if ever we went to war, we would also require the assistance of a navy, and there was no class in this country upon whom we could depend in that emergency, but the fishermen. He hoped that the appropriation would not be expended on the Baie Verte Canal, but that the money would be devoted to improving the harbors of the Maritime Provinces and developing their fishing industry.

Hon. Mr. TUPPER said, after the speech the House had just listened to, he was forced to give credit to a rumor he had heard outside that an arrangement had been come to between the Government and some of their supporters who had formerly favored the construction of the work to oppose this appropriation. This seemed almost incredible after the Government had announced the measure in the Speech from the Throne, after having sent an engineer to examine and report upon the work, and after they had submitted to the House a sum which they had apparently proposed to expend upon it. They had also invited contractors to go to a remote section of the

country for the purpose of being prepared to tender for the work, and he expected that the pledge they had thus given to the House and to the country would not be lightly broken. If the little piece of by-play they had just winessed signified anything, it singnified that the Government had been trifling with the people on a very important question. He repudiated the idea that he advocated the construction of this canal because it was a work affecting the Maritime Provinces, and referred to the opinions of the Dominion Board of Trade, the Canal Commission, and the Press of the entire Dominion, all of whom had united in urging its early construction, to shew that any expenditure of public money upon it was not only approved but worthy of approval. The canal would be less than twenty miles in length; it would pass through a level portion of country, and would be easily constructed. It would connect the waters of the St. Lawrence with those of the Bay of Fundy. It would bring Toronto, Montreal, and Quebec 300 miles nearer New York than any other possible water route, and these great commercial centres would each of them be brought nearer to Portland by 400 miles, and to St. John, N. B., by 500 miles. It was not surprising that all the people and all the interests of this country with one voice demanded the construction of this work, for the Confederation of the Provinces was worse than useless if we could not arrange for welding and consolidating the public sentiment and commercial interests of the various Provinces by such means as this. It would have the effect of drawing closer commercial communication between the Provinces. It would effect a great saving in freight charges, and half a million tons of shipping, on the most moderate estimate, would annually pass through it. He would not ask the House to sanction so large an expenditure as this unless the objects to be attained were national objects, although he could quite understand that there were gentlemen in this House who took a sectional view of the matter, and would oppose it from considerations other than those which ought to engage the minds of statesmen. He contended that if the Government had asked for tenders for the construction of the canal, and had laid those tenders before Parliament, they would have been excellent *data* from which to arrive at an estimate of the probable expenditure. He further believed that that estimate would be very much lower than appeared to be anticipated. Mr. KEEFER, one of the ablest canal engineers in the country, sustained by Mr. GZOWSKI, had staked his reputation upon the statement that the work would be executed for less than one-half of the amount estimated by the engineer of the Public Works Department. He believed that Mr. PAGE had taken a strong dislike to the construction of this work. Probably the late Government were somewhat to blame for this, for he (Mr. TUPPER) had a firm impression that Mr. PAGE was offended at having been overlooked when the Canal Commission was formed. He gave Mr. PAGE credit for the most thorough honesty and the possession of the highest professional attainments, and, where his prejudices had not been aroused, he (Mr. TUPPER) would place the most complete confidence in his judgment; but in this case he believed his prejudice and disappointment had prevented him from giving this work that fair and dispassionate consideration which it would otherwise have had at his hands. He (Mr. TUPPER) hoped that the impressions he had received regarding the intentions of the Government and the observations he had thought it necessary to make to-night would turn out to be unfounded. He hoped that the Government had not been trifling with the House and the country, and that they had not placed this sum on the estimates with the tacit understanding that a large number of their followers who had formerly sustained it were prepared to vote it down. He trusted, on the other hand, that the Government was really serious, and that they would make up for valuable time lost in the past by a vigorous prosecution of the work in the future.

Mr. MACDONNELL (Inverness) said the hon. member for Cumberland could not have read the last report made by the Engineer in Chief.' If he had he would not have said that all the eminent engineers advocated the construction of this work. Mr. PAGE's whole report abounded with expressions as to the impracticability and inutility of the work, and he condemned, in the strongest terms, the plans of Mr. KEEFER, while Mr. KEEFER on the other hand, condemned Mr. PAGE's plans. Was it not, therefore, the duty of

every hon. gentleman in this House to pause before passing this vote. The hon. member had spoken of the trade that would spring up between Toronto and Montreal and the Atlantic ports. What was that trade? There should be no Utopian ideas on this question. It should be dealt with as a practical business matter before embarking on an expenditure of this kind. He contended that vessels would rather keep out at sea and travel 250 miles further than use this canal, and encounter the dangers of the Bay of Fundy.

Hon. Mr. HOLTON said the member for Cumberland had stated broadly that at least 500,000 tons of shipping would pass through this canal annually if it were constructed. Would the hon. gentleman supply the *data* on which this statement was founded? If he could be satisfied that anything approaching that amount would pass through the canal all the misgivings he now had as to its execution would vanish, and he would join the hon. gentleman in pressing for the commencement of this work. But it was simply no means of making such an estimate that he doubted the wisdom of constructing the canal. He had looked in vain for *data* supplied in reports submitted to Parliament, in reports of boards of trade and articles in the press.

Hon. Mr. TUPPER said this subject had engaged the attention of Boards of Trade, the Canal Commission and various engineers who made it their special business to investigate these points. After most careful examination and investigation by these parties, it had been estimated that not less than 500,000 tons of shipping would annually pass through the canal. He would also refer the hon. member for Chateauguay to the best informed newspaper supporting the Administration in the Lower Provinces—the St. John *Telegraph*. That journal, in a very elaborate article, estimated that 500,000 tons of shipping would immediately require to use the canal. He (Mr. TUPPER) had read these calculations very carefully and found they were not exaggerated. No persons in the world formed more accurate views as to the traffic that would pass over a public work they were engaged in the construction of, than engineers. Mr. PAGE himself stated to him (Mr. TUPPER) that the canal as proposed would not be equal to the traffic that would offer for it. He took that, coming from a gentleman not disposed to recommend any hasty expenditure for this work, as reliable. The most successful commercial men Canada had known advised the construction of that work. Every source to which this House could look for reliable information had joined in urging the building of the canal as a work which would be attended by the greatest commercial results. It was impossible in a work like this to estimate correctly the amount of traffic that would be required at first. It had always been found that they enormously increased trade. One of the arguments against Confederation was that there was no trade between them. But the trade over the Grand Trunk Railway *via* Portland alone had since grown from $300,000 to $3,000,000. Our statistics did not furnish us any figures as to the increase of inter-Provincial trade by the political union, but if they could be obtained, he believed they would astonish the House. The enormous fleet of American fishing vessels would alone contribute very considerably to the 500,000 tons that would use the canal.

Hon. Mr. HOLTON said he never had the advantage of reading the articles in the St. John *Telegraph*, but he had examined most of the reports that had appeared in relation to this proposed work, and he had not found any business-like statement of the traffic that was likely to seek that channel if it should be opened for traffic—no statement of the kind of traffic, the number of barrels of flour for instance, that would go to the West Indies.

Hon. Mr. TUPPER said the newspaper he had just sent over to the hon. gentleman showed that the Board of Trade estimated that 700,000 barrels of flour would pass through the canal.

Hon. Mr. HOLTON said he would like to know where it was to go. It was exceedingly unlikely that flour would seek the Gulf of St Lawrence in order to get into the Bay of Fundy and thence go South. Of course this proposed canal was entirely off the route to Western Europe, where most of our flour went, and from which most of our ocean traffic flowed into the St. Lawrence. What he would like to see, and what all the speculative advocates of this work never condescended to give—unless this paper which the hon.

gentleman had sent him did—was some business-like statement of the traffic—not so much the volume of traffic as the kind of traffic, which might be sent through this channel. As to fishing smacks seeking this channel, he knew very little personally of that business, but he had grave doubts whether this canal would lie in their path at all or to any considerable extent. The only traffic it appeared to him that could flow through this canal was the traffic in produce and lumber from the interior of this continent to the southern portions of the continent, and to South America and the West Indies, and the return product of those countries that might be required here; and a very simple calculation made by any one familiar with the business of transportation, as conducted on this continent, would show that that canal would be entirely off the line of such traffic as could be advantageously carried on between the valley of the Great Lakes and the southern parts of this continent and the West Indies. Such was his conviction, and he had never yet seen any paper that really grappled with this, the kernel of the subject, if he correctly apprehended it.

Mr. DOMVILLLE pointed out that it would be impossible for traffic to go from the interior of this country to the south by way of this canal, when the canals were only twelve feet deep. The foreign trade would sooner seek the the Gut of Canso. As regards the traffic in flour, it should be remembered that before Confederation, out of 710,000 barrels of flour that were imported into the Lower Provinces 700,000 came from the States, and 10,000 only from Canada; but now only 10,000 came from the States and 700,000 from Canada. As to return cargos they would be made up of fish, coal, plaster, &c. It was a necessary sequence of Confederation that the best possible facilities should be provided for the interchange of products between the various Provinces, and without it Confederation could not be successful. At present the freight from Great Britain to Quebec and Montreal was $2.50 per ton, while the railways charged $6 a ton from St. John to Montreal. This showed the necessity of having water communication. He thought the Government should not put a grant in the estimates year after year if they did not intend really to go on with the work.

Hon. Mr. MACKENZIE said the hon. member for Cumberland seemed to think that there was nothing to prevent the Government from having tenders for this work ready to be laid before the House as an authoritative statement of its probable cost. Now, he could assure the hon. gentleman that if he would call at his office he would satisfy him that every possible effort had been made to get the plans ready, in order that estimates might be obtained early in October. They had reason to expect that Mr. BAILLAIRGE, who had charge of this business, and had given his entire attention to it for months, would have been able to have had his plans in such a state in January as that tenders might be asked for. He (Mr. MACKENZIE) pressed the matter upon him and upon the other officers of the Department, in order to have this done, if possible, for he felt that if Mr. BAILLAIRGE'S and Mr. PAGE'S estimate of the work was correct it would be a very serious undering for the result. He felt very much the want of satisfactory information as to the commercial advantages of this canal, and he applied to Mr. PAGE for information of that kind. He was surprised to hear the member for Cumberland say that he had obtained information of that nature from Mr. PAGE, for Mr. PAGE had told him (Mr. MACKENZIE) that he had utterly failed to find any sources of information on the subject. Looking at the work geographically, it did seem as if it was a work that might accomplish a great deal That there were tidal influences in the Bay of Fundy that made the work peculiarly difficult no one could deny. It was an exceptional work; there was nothing like it in the world. The tide at low water being from 35 to 40 feet at one end and from 5 to 9 feet at the other, was a state of things that made it peculiarly difficult either to design or execute the work. Looking at the estimate of Mr. BAILLAIRGE of the cost of the work he was quite sure it was within reasonable bounds. He knew from the cost of works that had been executed within the last two years, and from the schedules of recent contracts that the prices estimated by Mr. BAILLAIRGE were much below these which the Government were paying at the present time. As would be seen by his report he (Mr.

BAILLAIRGE) estimated the excavation in loam and clay, and dredging in sand, at 30 cents, whereas 30 cents was the minimum price which they had paid for dredging. Some went as high as 50 and 60 cents, although in ordinary dredging of that kind they occasionally got work done as low as 25 cents, but that was under the most favorable circumstances. Excavations in sand Mr. BAILLAIRGE estimated at 20 cents; in fluid muck at 10 cents, and in rock 50 cents. Now, when he would tell the House that in the neighborhood of this city, in the ordinary limestone of the Ottawa Valley, they had been compelled to pay as high as $2 for excavation they would see how reasonable Mr. BAILLAIRGE's estimate was. With regard to the estimates for bridging and the piers at the *termini*, he had not the means of testing them by schedule prices to learn what the actual cost might be; but if the quantities were correct he thought it probable the estimate was within the mark. The piers would require to be built of stone in the most substantial manner. They would enclose what would be practically a tidal harbor because it would be impossible for a vessel to rush into the lock with such a tide behind her as there is on the Bay of Fundy. All these matters would require careful consideration. The Government had acted in perfect good faith. They considered that if it was possible to execute the work at prices corresponding somewhat with Mr. KEEFER's estimate, which originally was three and a half millions, and subsequently five millions, it might be a very considerable advantage to do so. He had inquired very particularly about the ordinary trade of the Gulf. The cruise of that trade was chiefly to South America, the West Indies, and Europe, and he had no doubt whatever in his own mind that that trade would seek an outlet by the ordinary channels now pursued by vessels; but that there would be a large local trade from the parts adjacent to the canal was possibly as little doubtful. Whether that local trade would be of such dimensions as to fairly call for the execution of the work was a question that the Government and the House would have to consider. He was not at all sure but that it might be advisable that a commission of experienced men should be appointed, not to decide upon the canal itself, but upon the probable amount of commerce which might seek an outlet through the canal. In the meantime, they proposed as soon as the plans were ready to call for tenders, and if these tenders bore any reasonable relation to the estimates that were formed by the gentleman whom the hon. member for Cumberland had characterized as a hydraulic engineer of very high character, they might be able to act upon the authority which the House would give them. He thought it was but respectful to the hon. gentleman opposite that he should answer his remarks so far and afford to the House the fullest information of the course the Government had adopted in the matter. Whether their views were right or wrong they had endeavored faithfully to ascertain all that could be ascertained in relation to this matter; and this estimate was placed before the House with the understanding that it was to this extent conditional that if they found that the ideas entertained by hon. gentlemen opposite and which seemed to be entertained by the House were not realized when they obtained the statements of practical men, then the question was one that must be opened for consideration.

Mr. PLUMB said he had endeavored, but without effect, to ascertain whether it was the intention of the Government to adopt the Baie Verte Canal project as part of their policy. If the Government did not intend to do so, why should a sum appear in the estimates. The hon. First Minister had spoken of tidal influences. There were ocean tides and political tides, and the Government might have found it necessary to keep the item in the estimates, in order to keep the promise to the ear and break it to the hope. The fair and manly way of dealing with the question was for the Government to come forward and announce whether they intended the canal to be built or not; but the explanations offered by the hon. First Minister only rendered matters more obscure.

Mr. JONES (Halifax) said he quite concurred in the opinion expressed by the hon. member for Cumberland, that it was high time this question was disposed of, and that the policy of the Government with respect to the expenditure on the Baie Verte Canal should be settled by an expression of the opinion of the House. He, however, repudiated the charge made by the hon. member that

some hon. members, at the request of the Government, opposed the appropriation with a view of preventing the expenditure of the sum placed in the estimates. It was known to members from Nova Scotia that from the very initiation of that project the hon. member for Cumberberland stood alone in the position he assumed among the representatives of that Province. Last year the Nova Scotia members addressed a memorial to the Government requesting them to stay their action, and not make any appropriation for the purposes of the canal. But when the present Government took office they found that the question had been dealt with as a Government measure by their predecessors, and that the hon. member for Cumberland, doubtless aware of the great advantage which would accrue to his county from the canal being constructed through it, had succeeded so far in inducing the Government to incorporate the construction of the canal into their public policy as to obtain an appropriation of half a million dollars for that purpose. He (Mr. JONES) could well understand that the present Government knowing they had to contend against the opinion which the hon. member for Cumberland had sought to create in the Maritime Provinces, that the people of Ontario and the Reform party were less favorable to the Maritime Provinces than were the Government of which the hon. member for Cumberland was a member, might not even from political considerations be disposed to remove the appropriation from the estimates at the commencement of their term of office. Personally, however, he would have been better pleased if the Government had reconsidered the whole question, and struck out the grant. To the argument that the project should be carried out because it was approved by the Dominion Board of Trade, he replied that the members of such boards represented some particular hobby or idea, and in the consideration of public questions arrived at conclusions which, while satisfactory to themselves, were not satisfactory to the mass of the people. The Dominion Board of Trade had made certain recommendations in favor of adding an additional portfolio to the Government, and also respecting the Washington Treaty. It was well known, however, that the Dominion Board was engaged in opposing the treaty, and, although there was a small clique in Halifax who were opposed to it, yet there would not have been a member from Nova Scotia found voting against the treaty if it had come before the House. The hon. member for Cumberland next argued that the construction of the canal would shorten the route between Montreal and New York. But any trade between those points would never follow the intricate and dangerous navigation of the Bay of Fundy, but the vessels would stand out to sea and avoid that difficult navigation. Again, it was said that a New Brunswick editor had said half a million tons of shipping would annually pass through the Baie Verte Canal. But the moment that the statement was subjected to criticism it appeared that the total had included all the shipping trading in the Bay of Fundy. It was argued by the hon. member for King's County that if the canal was constructed the cost of the transport of coal from the Lower Provinces to Canada would be cheapened. The whole coal fields of Nova Scotia, except Spring Hill and a few small mines, were on this side of Pictou and Cape Breton, and, therefore, no advantage or disadvantage would be derived from the construction of the canal. Another argument used was that it was difficult to estimate the great volume of trade which would follow if the canal were once built, and the House was asked to look at the amount of trade done by the Maritime Provinces now and before the Union. This point was, however, capable of explanation. When the people of the Maritime Provinces went into the Union there was a tariff of $8\frac{1}{2}$ per cent. in operation. Since then the tariff had been more than doubled, and under it the Maritime Provinces were shut out from the English markets by a Chinese wall of protection, which the policy of Canada had thrown around the Dominion, and they were compelled to come to Ontario and Quebec and open trade with them. The Maritime Provinces did not receive any more goods now than before the Union. As a representative of Nova Scotia he advised the Government—and the whole of the representatives of Nova Scotia in the House would concur in this opinion—not to expend seven millions of dollars upon a work which in no way compensated for the outlay. He was also satisfied that

the fair-minded people of New Brunswick, as well as those of his own Province, would support the view that if the Government had so large an amount of money at its disposal it should be expended on useful public works which would prove of public advantage. He did not object to the course pursued by the hon. First Minister because it was a safe one ; and one by which the Government would become satisfied that the views he had expressed were correct. The more the project was examined the more fully would the Government become satisfied that the scheme should not be proceeded with ; and the more completely public opinion in the Maritime Provinces was ascertained the more thoroughly would the Government be satisfied that they should not again submit any appropriation for the Baie Verte Canal to the House.

Mr. CAUCHON called attention to the fact that the engineer's estimate last year placed the cost of the work at eight million dollars, which before the work was completed would no doubt rise to thirteen or fourteen millions. In return for that expenditure the country would get a canal which could only be entered at the fifth hour of the tide. There was a difference of forty four feet in the tides between the Bay of Fundy and the Gulf. According to all reliable reports the quantity of mud which would be carried in the locks, fi the canal was opened before the fourth hour of the tide, would fill up the works, and a dredging machine would have to be employed to clean out the canal. The reports of PAGE and BAILLAIRGE who surveyed two hundred superficial miles to obtain, if possible, a practicable route, went to show that climatic difficulties, such as winds and tides, were altogether antagonistic to the enterprise. Of course, with an ample supply of money, it was possible to remove mountains, but in respect to this canal we could not obtain a practical result if it was supposed that neither the Gulf trade to Europe or the United States would pass through the canal. The vessels would have to wait four hours at each end of the canal, and the canal could be navigated only twelve hours out of twenty-four. Then suppose the work cost twelve millions, which was the lowest possible calculation, the interest on the money and the expense of keeping the work in repair would add another million to the cost. He hoped the Government would not spend a cent until they were convinced that they would be remunerated for the outlay. This canal, if constructed, would be of service only twelve hours in twenty-four. Was that a work on which millions should be expended—a canal filled with mud every day ? If the hon. member for Cumberland could show that this work would give a return for the outlay, he did not mean a direct and immediate commercial result, but that it would develop the resources of the country—he would support it. But it would be found that the work was impracticable and the money would be lost.

Mr. MCKAY (Cape Breton) said the representatives of Nova Scotia felt it was not their duty to allow their feelings in connection with their own province to override their duty to the Dominion at large. It would not be right for them to mislead the people of the other Provinces and induce them to consent to place a large amount in the estimates to build a canal which they believed would be of no national benefit to the Dominion. One engineer reported that the canal would cost between fourteen and fifteen millions of dollars, others that it would cost five or six millions. When the immense difficulties in the way of constructing it were taken into consideration, it would be found that it would take the larger amount. In the Bay of Fundy the tide rises forty or fifty feet ; on the other side, only five or six feet. Any one could see the difficulty of constructing a canal under such circumstances. Then, again, the navigation of the Bay of Fundy was very difficult, and was rendered more so by heavy fogs. It was stated that 500,000 tons of shipping would pass annually through this canal. Where were they to come from ? They must come from the Gulf or from United States ports, but such vessels would pass through the Straits of Canso, the highway of nations, which was open all winter when the canal would be closed. Did any one suppose that the 700,000 barrels of flour sent to the Lower Provinces would go to the Bay of Fundy, the only place that would be served by this canal ? There was a very serious obstacle in the way of building the canal, in the fact that the locks would fill up with sand, and every time they would be opened to allow a vessel to pass through,

it would take hours and sometimes days to clear out the sand. This question had now, to a certain extent, been ventilated in this House. The discussion of last session had set hon. members thinking on the subject, and it seemed to him that the sentiment of this House was pretty generally against the passage of this amount. The suggestion of the Premier was remarkably good, and it would be wise for this House before committing itself to this appropriation to inquire by a commission into the advisability of building that canal. If it could be shown that the advantages which it was said would accrue to the nation at large would result from it, then construct the canal, but until this House was assured that it was of national importance, it would be unwise to spend any money at all in so speculative a work as the construction of a canal to connect the Bay of Fundy with the gulf of St. Lawrence.

Mr. PALMER attributed the opposition to this scheme to the rivalry of Halifax and the other ports on the east coast of Nova Scotia. When it was urged that the money required for this work should be expended in constructing harbors of refuge to prevent loss of life on the dangerous coast of Nova Scotia, he could not help thinking that it would be better to build this canal, so as to prevent the necessity of navigating such a coast. If this canal were constructed every barrel of flour now carried *via* Portland to St. John would go by way of Baie Verte. At the Quebec conference, although the very words were not in the agreement, it was understood that a more convenient avenue for trade should be given than existed.

Hon. Mr. HOLTON—That meant the Intercolonial Railroad.

Mr. PALMER said it meant more, the Intercolonial being the subject of a distinct agreement. Putting aside the trade of the West Indies, the canal would have the traffic of the Bay of Fundy with a coast line of six hundred miles, and the United States coast trade between New Brunswick and New York, 600 miles more—a total of 1,200 miles on the South. On the North there was the trade of Prince Edward Island, the coast of New Brunswick and Newfoundland—a coast line of 1,500 miles. A great deal of the trade of Prince Edward Island now carried by rail to St. John could be carried cheaper by water. He predicted that the trade passing through this canal would increase one hundred per cent. in five years. Its construction, instead of hindering those of Western Canada, would forward them in the course of time. It was useless to ask him for statistics, as his hon. friend from Chateauguay had done, and it would just have been about as appropriate to ask for statistics in reference to the Welland Canal when the Niagara Falls made commerce between Lake Ontario and Lake Erie, an impossibility, as did the isthmus between the Bay of Fundy and the waters of the St. Lawrence. However, there was no one knew every foot of the country more thoroughly than he (Mr. PALMER) did, and had he expected to be called upon to give statistics, he would have been in readiness to do so. The trade from St. John, in "small lumber," or building lumber, which was used along the American coast very extensively, was an article which was very largely exported. Here that class of timber was burned, because there was no market for it, and he anticipated that were this canal constructed, we should have an immense trade from the west in this same material. He denied that the Bay of Fundy was characterized by any such storms and high tides as had been represented, and asserted that he had never, in the course of thirty years, known a single life to be lost or a single valuable vessel to be wrecked upon its coast. The tide, he believed, did not exceed three miles an hour. Its navigation was the best in the world. He defended Boards of Trade from the allegation that they were picked for particular purposes, contended that they fairly represented the different interests of the country, and considered that upon a point of this nature their judgment was better than that of most men. He felt sure, unless the Government intended to proceed with this work, that they would not have mentioned it in the Speech from the Throne. The country westward from the Bay of Fundy was deeply interested in this work, and although the country to the eastward was naturally hostile to it, he sincerely trusted the Government would not be deterred from proceeding with it.

Mr. MACKAY (Cape Breton) denied on his own behalf, as he thought he could

do the same on behalf of the other members from Nova Scotia, that he had ever heard the suggestion mentioned by the hon. member for St. John and the hon. members for Cumberland, with regard to the probable channel into which the money voted for the canal would be diverted in case it were not immediately used for that purpose.

Mr. KILLAM said the memorial alluded to was merely drawn up in order to show the Government that there was no pressing necessity for the immediate construction of the canal and that the money would be better expended in other parts of the Dominion, notably on railways in Nova Scotia. He was not opposed to the construction of the canal, and he was not prepared to say that there would be no trade passing through it if it were constructed, but neither could he agree with the hon. members for Cumberland and St. John that the question must be settled now. In a case of the kind where there were two bodies of water with so little land dividing them, there would always be some people, and especially some politicians, who would like to unite them, but it was a matter which required grave consideration. If the canal were in operation there must be a certain amount of local traffic pass over it. In twenty years, and likely in less time, if the harbors on the western shore of Nova Scotia were properly looked after, there would be a considerable coal trade to the St. Lawrence and American ports, in connection with which it would be found advantageous to use this canal. Prince Edward Island would also necessarily benefit by it. He urged that the extension of the Intercolonial Railway eastward to Lewisburg was a much more important matter to the Dominion than the building of this canal, and there were other works to which preference should be given. He was not satisfied with the surveys that had been made, and thought there was a good deal of force in Mr. KEEFER's suggestion as to the comparative merits of a half and three-quarters tide canal. The whole question, he repeated, required a great deal of consideration.

Mr. JONES (Halifax)—Did I understand the hon. gentleman to say that when the memorial was drawn up it was with the understanding that the money should be appropriated for other purposes?

Mr. KILLAM said he had not intended to convey that impression. His own object at the time had been to impress upon the Government that it was not necessary to proceed immediately with the construction of the Baie Verte Canal.

Mr. McDONNELL denied that there was any understanding with the Government as had been alleged. The circular referred to was a mere remonstrance against the construction of the Baie Verte Canal and nothing more. The question was dealt with entirely upon its own merits.

Mr. BURPEE (Sunbury) said he was rather surprised at the warmth with which some hon. gentlemen discussed this question. It would seem to indicate that there was an apprehension that if this canal was built it would draw some of the trade that now was enjoyed by some of the gentlemen who opposed this work. This was a question which had agitated the public mind in the Lower Provinces for forty or fifty years. The practicability of the work had been disputed. He confessed he had always had very grave doubts as to its practicability, but he never had any doubts as to its utility. He did not wish to take up the time of the Committee, but merely to state that he was willing to leave the matter with the Government in order that they might fully investigate it. He did not wish to urge upon the Government any public work that was not for the advantage of the whole Dominion. If this work was proved to be not for the advantage of the Dominion and not practicable he would say do not undertake it; but he hoped the Government would not be diverted from their course by the opposition of those who had a sectional interest in opposing this work. The trade returns showed that there were 7,500 coasting vessels that would use this canal if it was constructed, and these represented a very large trade. If it was decided that the work was praticable he had no doubt that it could be proved to the satisfaction of the House that it would be to the advantage of the whole Dominion.

Mr. FORBES said he was pleased with the suggestion of the Premier that a commission should be appointed to examine into the advantages of this canal from a commercial point of view. He himself thought that the canal would be built at

some future day, but whether the business that it would now serve would warrant the expenditure of the very large sum of money that would be required to build this canal, was a question which required a great deal of consideration. It was difficult for individual members to say what would be the effect of this canal upon trade. There was no doubt that there were serious obstacles in the way of the construction of this canal, owing to the fact that there were extraordinery high tides at one end, and very low tides at the other. It would, undoubtedly, cost an immense sum of money, and whether that sum of money could be spent to greater advantage for the whole Dominion on some other public works, was a question for the Government to consider. Very little had been said about the difficulties of the navigation of the Bay of Fundy; but he could speak from experience when he stated they were very serious. He was surprised to hear the hon. member for St. John say there had been no wrecks on the Bay of Fundy.

Mr. PALMER—I said between St. John and the head of the Bay of Fundy. The danger is between the entrance of the Bay and St. John.

Mr. FORBES—Are there any vessels that go up there at all?

Mr. PALMER—Ask the people who live along there.

Mr. FORBES proceeded to say that this canal, if built, could never be used during six months in the year, and he doubted the propriety of spending so large a sum of money on a canal which would have to be idle half the year. The hon. member for St. John attributed motives to the members for Nova Scotia, in this matter, which were entirely unfounded in fact. They had no motives other than those which led them to regard the interests of the whole country. He would be very glad to see this canal built, but not at the present time, and he therefore was glad that the Government did not intend to hurry on the work but that they were to take time to give the whole subject the fullest consideration.

Mr. SINCLAIR said the frequent appearance of a vote in the estimates for this work, and the many attempts to postpone operations on it, showed that the whole subject required a great deal of consideration. He thought the House should be grateful to the representatives from Ontario who had taken the position that if this work was proved feasible and practical it should be proseeuted, but if not it should be dropped. It was very difficult for any one to estimate the volume of trade that would be served by this canal, because the increased facilities which it would afford would enhance the volume of trade to an extent that could not now be estimated. St. John was growing very fast, and the trade of that section of the country was largest and most rapidly carried on in the fall of the year; the very time when navigation around Nova Scotia was dangerous, and therefore if the canal were built a great many coasting vessels would use it in the fall of the year. He was very doubtful, from the reports about the practicability of the work. If he was satisfied on that point, he would have no hesitation in voting for the appropriation, because he had not the slightest doubt that it would be a great advantage to the trade of the Maritime Provinces, and also to some extent to the Upper Provinces. This work should not be looked upon as a sectional but as a a national work. If the canal was built it would be found that enterprising men in New Brunswick would build steamers adapted to it to run through to the American coast, and a trade would spring up that could not at present be estimated. The only point he was in doubt about was as to whether the work could be constructed for anything like a reasonable sum, and in order to settle that point he thought the Government were wise in taking more time to acquire more accurate and fuller information.

Hon. Mr. MACKENZIE said he had listened with very great attention to the opinions expressed by gentlemen from various parts of the Lower Provinces, but he saw no reason to modify what he had stated a little while ago. He then stated that he had most serious doubts as to the practicability of the work, but as to that they must be guided by the opinions of eminent engineers. If, when the plans were completed and tenders received, the cost was found to be reasonable, it would then be a matter for consideration as to what extent the Government should go in executing the work. He proposed making further enquiries as to the practicability of the

work. As soon as the engineer had completed his plans, they proposed to ask for tenders and to ascertain in this practical manner what the cost would be, and to take other means to ascertain the extent to which the commerce of the country would be benefited by the canal. He thought after this statement the Committee should leave the matter in the hands of the Government, and he could assure them that the interests of the country and the opinions expressed to-night would be fully considered.

Mr. OLIVER asked if it was the intention of the Government, should they find this work practicable and feasible, to spend any part of this appropriation before the next meeting of Parliament.

Hon. Mr. MACKENZIE said that part of the money would necessarily be expended, though it was not likely any very large portion of it would be spent. But if it was found that commerce would be largely benefited by the canal, and that it could be built for a sum approaching the estimate of Mr. KEEFER, he thought the work might fairly be considered a practicable one. If on the other hand the cost would approach the sum mentioned by Mr. PAGE he thought it would be necessary to pause in the matter and obtain fuller information and a more decided expression of the opinion of Parliament before proceeding with the work.

Hon. Mr. MITCHELL said he did not intend to enter into a discussion of the merits of the canal project, because that point was settled by the engineers' reports, now before the House. Although the various engineers who had examined into the subject differed with respect to the means to accomplish the work, they were all agreed that it was a work which could be satisfactorily constructed by the Government. He deeply regretted the statement of the First Minister that the Government did not intend immediately to proceed with the work. He disapproved of the practice of placing a large sum in the estimates if it was not intended that the money should be used, and such a course, he did not think, was constitutional. The position taken by the Government to-night indicated that they had determined to abandon the work, and he regarded such a position with very deep regret. The Baie Verte Canal would not only be of benefit to the adjacent sections of country, but it would confer great advantage to the trade of Montreal and Toronto, and indeed of the whole Dominion. The late Administration were satisfied from the reports they had received of the feasibility of the work, and so far had the matter gone, that had it not been for the action of some gentlemen, now on the Ministerial benches, the work would have been under consideration before the late Administration went out of office. He desired to hear from the Minister of Marine and Fisheries and the Minister of Customs, explanations as to the action they pursued. The people of New Brunswick had not been treated fairly in respect to this public work.

Mr. GILLMOR said he was fully satisfied with the explanations of the hon. Premier, which were very reasonable. He was surprised at the united opposition offered to the proposed vote, no member for Nova Scotia having expressed himself in favor of the canal. He judged from the remarks of the hon. Premier that the Government had taken this work in charge nevertheless, he did not desire to see millions of dollars expended on a work if it should appear that it was not in the public interest. He hoped the Government would not blot out the item from the estimate, but that the necessary information would be obtained as indicated by the hon. the First Minister.

Mr. GOUDGE adverting to the reference made to the unanimity of the Nova Scotia members in opposition to the proposed vote, declared, as one of those members, that there was no union on his part with any of the members to oppose the vote. He approached the question with a great deal of diffidence, and if he was not ready to-night to state distinctly a wish that the item should pass, it was because the magnitude of the interests involved, required that he should give the question very serious consideration. He was much gratified with the explanation of the hon. First Minister, which must prove satisfactory to the House. There were two questions involved in the appropriation now under discussion:—First, the cost; second the advantage to be derived therefrom. It was proposed to ascertain the first by inviting tenders, whereby the Administration would be able to learn the cost of the work. By the appointment of a commission, as was

proposed, an approximate calculation could be arrived at as to what would be the probable amount of shipping passing through the canal. In regard to the fogs and tides spoken of as existing in the Bay of Fundy, he was able to state that there had scarcely been a life lost in that bay within his memory. A ship might leave a point at the head of the Bay of Fundy and proceed to St. John at the rate of four miles an hour, and it would be hardly possible to run her on a rock, even if it was desired to do so. The representatives of the Maritime Provinces would not ask the House and the country to engage in any enormous outlay unless it would be demonstrated that the expenditure of the public money would be beneficial to the people of the Dominion.

Hon. Mr. BLAKE said that this item for the construction of an important public work — important especially in point of expense—had for a long time appeared in the estimates, and he regarded it as the settled policy of the country, which at any rate he was not prepared to dispute, that an equal amount, supposing the Baie Verte Canal should not be constructed, should be expended for some public purpose of national importance in the Maritime Provinces. He thought that the people of Ontario—he spoke now only for his own constituency—would sustain him in the statement that it having been the settled policy of Parliament, for a considerable number of years, that a large expenditure should take place upon this work they would be agreeable if it were proved to be unreasonable or impracticable to carry such work out—to an equal amount being expended in some other public works in which the Dominion had an interest. Therefore so far as he was concerned, speaking for his constituency, the only question he had to consider was whether that particular work was a fit one on which to expend the funds of the Dominion; upon that question he did not express any opinion. He thought it would not be becoming in him to solve the question which from the statement of the leader of the Government it appeared was not ripe for settlement, the necessary information to that end not being yet forthcoming. But it did seem to him, while he agreed to the expenditure of that sum of money on that or some other public work of national importance in that quarter, that he ought not to be called upon to agree to the expenditure of that amount of money on this public work until there was a case before the House on which Parliament could safely pronounce. Now he did not understand that the House was asked to pronounce in favor of the construction of that canal at this time upon the evidence before it. He understood it to be said that the evidence was not such upon all the points as would justify the Government in committing itself to the prosecution of that work absolutely, and until the evidence was in such a state as would justify the Government of this country in asking Parliament to make such an appropriation, he did not think Parliament ought to be asked to do it. He thought the true position to take in the present state of the case was this—that the Government ought to take such a vote as was necessary in order that the investigations which the hon., the First Minister, had stated he was about to institute might be carried forward; and the House ought to be left perfectly free and unpledged as to whether $6,300,000 of the money of this country should be spent on that work.

Mr. McDONNELL (Iverness) said he did not propose to offer any resolution to the House when in committee, but on concurrence being taken he would probably submit a motion in order that it might be generalized. Entertaining the opinion that he did on this question, he could not accept the proposition made by the First Minister because the work would be useless whether it was practicable or not. Holding these views he felt satisfied that no inquiry as to the necessary outlay, and the practicability of the work, would convince him that it should be carried out, and he was determined therefore to oppose the passage of the item on every occasion when it came before the House.

Mr. CAUCHON asked if the statements made by the hon. member for South Bruce were to be taken as in any way indicating the policy resolved upon by the late Government, or as indicating the policy of the present Government. He was not going to bind himself to say that because a certain amount of money had been voted for a certain object, it must be expended whether that object was practicable or not, as compensation for abandoning it.

Hon. Mr. BLAKE said his remark was that speaking for himself and his own constituents he was content if that particular object turned out to be impracticable, and if there were objects of national importance in that section, to vote an equal amount towards those objects. He spoke merely for himself and not for the hon. member for Quebec.

Mr. KIRKPATRICK dissented from the view of the Premier that it was a Constitutional principle to vote large amounts of money which the Administration claimed the power to expend on the report of a commission. The correct principle was that the report of that commission should be laid before this House, which alone should determine how the money should be voted. When he found hon. gentlemen opposite asking the House to pledge themselves not only to an expenditure of $1,000,000, but of $6,800,000, an outlay which from past experience he believed would not fall short of $10,000,000, he contended this expenditure should not be hastily incurred. This work was of a most doubtful character. Mr. PAGE reported Mr. KEEFER'S plan as most impracticable and foolish; Mr. KEEFER reported similarly on Mr. PAGE'S plans. If there were any other reports on the subject they should be submitted to Parliament, and this House should decide whether the work should be proceeded with or not. He dissented entirely from the view that by putting this vote in the estimates the country was pledged to give to the Province, either for this work or for some other works, an equal amount if they should be considered of national importance. If there were works of national importance to be undertaken, they should be constructed whether this Baie Verte Canal was built or not, but he did not say that because this work did not go on they must get a similar sum. Though the hon. member for South Bruce did not use the word "compensation," his language bore that inference. He did not approve of that principle. He intended to vote against this appropriation, but would cheerfully vote for placing money in the hands of the Administration to inquire into the practicability of the work.

Hon. Mr. MACKENZIE asked the Committee at present to pass this vote, and on concurrence upon the vote the Government would be prepared with some distinct proposition on the subject.

The item was carried,

Item 85, public buildings at Ottawa, $375,125, was carried.

On item 86, improvement of navigable rivers, $56,000,

Hon. Mr. MITCHELL asked what steps had been taken towards the removal of chains and anchors from the St. Lawrence.

Hon. Mr. MACKENZIE said it was found very difficult to get a suitable vessel built. However, the work would be accomplished very rapidly in the spring.

Hon. Mr. TUPPER asked if the Government intended to dredge Wallace River?

Hon. Mr. MACKENZIE replied that the only dredge suited for the work, the *Capé Breton*, had been engaged all the season in other parts of Nova Scotia. The work would be done as soon as possible.

Mr. RYAN asked if the item voted last year for the improvement of the navigation of Red River, Manitoba, had been expended?

Hon. Mr. MACKENZIE—A portion of it.

Mr. RYAN—Will the remainder of it be expended?

Hon. Mr. MACKENZIE—It is not required, I believe.

M. CIMON : L'hon. Premier Ministre me permettra de lui poser de nouveau une question que je lui ai déjà faite, pour lui demander si c'est l'intention du Gouvernement d'améliorer cette partie du Saguenay appelée le "Bras de Chicoutimi." Il existe en cet endroit une batture longue d'un mille et large de 10 à 15 pieds, et ce n'est que depuis un certain temps que les bateaux à vapeur s'aventurent trois fois par semaine à marée haute, jusqu'à Chicoutimi. Si le Gouvernement prenait ce sujet sous sa considération, et qu'il n'en coutât pas trop cher pour faire cette amélioration, il ferait un grand bien à la cause de la colonisation dans les districts de Chicoutimi et du Saguenay, qui constituent un des endroits les plus importants du pays. Tout ce que je demande c'est qu'un ingénieur visite cet endroit et y consacre quelques jours à faire un examen sérieux de cette partie de la rivière du Saguenay qui a besoin d'être débarrassée de cette batture. Les ingénieurs sont payés par tout le pays, et il me semble que Chicoutimi peut aussi bien requérir

leurs serivces que les autres parties du pays. Il n'y a rien dans les estimés pour Chicoutimi, et il n'est que juste que le Gouvernement accède à cette demande.

Hon. Mr. MACKENZIE replied that instructions had been given the engineer to make a report on it.

The item was passed.

On item 87, Lake Superior and Red River route, $100,000,

Mr. SCHULTZ asked whether the Government intend to give the contract for the Dawson Route to the same parties who had it last year.

Hon. Mr. MACKENZIE replied that it had been given them again.

Mr. SCHULTZ wished to know if it was the intention of the Government to give closer supervision over the route.

Hon. Mr. MACKENZIE said he was not aware that the supervision was not close. The Government expected that there would be a corps of engineers in connection with the Pacific Railway survey at both ends of that route during the whole of the coming season, and the business of the road would be conducted hereafter in connection with the Pacific Railway survey.

Mr. MASSON said it was deplorable that the Government had not a better means of taking emigrants to the North-West than they had last season. While he was going to Red River himself last season, he was dissuaded from going by the Dawson route by the very persons whose duty it should be to urge him to go that way. He was informed by great friends of the hon. Minister of Public Works that the road was managed in such a way that really emigrants could not go up. A gentleman from London had a span of horses with him, and had very great difficulty in getting them off the boats at the *portages*. There was no management at all. The huts were dirty and could hardly be used. Now, he knew the Minister of Public Works could not see to everything himself, and he merely drew the hon. gentleman's attention to the facts. So long as that road was leased with a bonus it would not give satisfaction. It would be better to give larger prices to transport emigrants than to follow the present system, because the contractor now is merely interested in keeping the road open to get the bonus. The road should not be leased but managed by the Government. Emigrants were now going by the United States. He knew it was not the intention of the Government to drive them that way, but that was the effect of their policy.

Hon. Mr. MACKENZIE said he came into office in December 1873, and was obliged to do the best they could with this route. He was able, however, for the sum of $76,000 to do what it took over $400,000 to accomplish the year before, and he contended the arrangements were better under the lease than under the management of the Government. There were more emigrants carried over it, and there was more comfort.

Mr. MASSON could not contradict the hon. gentleman, but he moved for returns which had only been brought down to July 1873, showing the number of emigrants who had passed over the road. Until later returns were furnished him, he could not say anything on that subject.

Mr. YOUNG said the enormous expense of the Dawson route under Government management made a change desirable. That change was one which, on the whole, had worked in a tolerably satisfactory manner. One cause, no doubt, that had prevented it from working so well as expected was, that there was a great rush of emigrants just at the beginning of the season, before the contractors had time to complete their arrangements. But, just before the close of navigation, he knew from gentlemen who had passed over the route that they travelled with tolerable comfort. It would be too soon to pass judgment on the system of the present Government. Next season, he had every reason to believe, the management would be satisfactory, and the country would be saved great expense.

Hon. Mr. MACKENZIE, in reply to Mr. MASSON, said he understood the number of passengers on the Dawson route last year was between 2,000 and 2,500, and fully one-half of those were carried within the first three weeks after the road was opened, and before the contractors were quite ready for them. He remembered years ago the laborious trip up the St. Lawrence before railways and steamboats were available, yet people thought comparatively little of the three weeks' journey. Now there were complaints from emigrants if it took half that time to go twice the distance. He had an exact

statement of the provisions sent to the various points on the line, and he found that the contractors only received some $39, while carrying 1100 passengers over the line. In fact, there was a kind of a mob at one time, and they used the contractors as they pleased. He heard that there was suffering at the North-West angle at one time, and he telegraphed to Lieut. Governor MORRIS to inquire into the condition of the supplies there. It was found that the principal part of the suffering was simply because of people eating the contractor's meal without paying for them. They were compelled to refuse these parties food when they would not pay for it. Some of them, no doubt, had very little money, and might have suffered a little, but there was no serious distress.

Hon. Mr. CARTWRIGHT said the actual expenditure on the Dawson route for the year ending June 30th, 1874, was $419,368.

Hon. Mr. MITCHELL said this was not a fair comparison. A large amount of this should have been charged to capital account, having been expended in the construction of houses, bridges, etc.

Mr. SCHULTZ said it was true that some of the stopping places on the route were dirty and the management was bad, but the road had proved of great service to the country. It had caused a reduction of rates on the American lines to our country. That fact alone would warrant the expenditure on the road. It was no fault of the Government that they expended so much on the road, since by doing so they secured lower rates on the American lines. While he could not agree with the hon. member for Terrebonne as to the value of the road, he could not agree with the Premier as to its management during the past year. He (Mr. SCHULTZ) believed it was thoroughly mismanaged, and reports from emigrants over it would bear out his statement. There was no responsible agent in Winnipeg. Almost every emigrant who came through complained that his goods had been damaged by water, and he had grievances of all sorts, but no one to make them to. If he went to the officers of the Dominion, they protested that they had no responsibility, and the whole matter was in the hands of the contractor. He did not mention these matters to censure the Government, but to suggest the propriety of finding out whether this vote were sufficient to carry out the work satisfactorily.

Hon. Mr. MACKENZIE said the officer who had been employed by the late Government to superintend this work, Mr. DAWSON, had been continued by the present Administration. It was quite impossible to get the goods of the emigrants transported without getting wet, but the real hardships complained of were the want of food, and the nature of the shelter at the halting places. The statements generally were greatly exaggerated. The great difficulty arose in the first three weeks of the season, when more emigrants passed over the route than had passed over it for three years before, and before the new contractor had got fairly to work. He (Mr. MACKENZIE) had seen a number of people who had travelled by the route, but so far as he could learn, at least after the first three or four weeks, there was no case of real suffering. The contractors had in several instances been obliged to pay heavy damages for injury done to goods from getting wet in the course of the transit. With regard to the expenditure upon the route, $198,000 had been appropriated in 1873 for the service; subsequently there were Orders in Council passed for sums of $30,000 and 15,000 respectively; there was a cash revenue of $15,000; and besides these amounts he had himself to make provision for $145,000 after coming into office; no portion of which was for any work upon the road. He then submitted a detailed account of the expenditures, which amounted in all to $399,628, besides which there were some additional items not paid in that but in the following year.

Hon. Mr. TUPPER said it was quite impossible that the expenditure had been so grossly extravagant as the figures quoted seemed to indicate, and the fact that the Government continued in office the inspector under whose supervision those expenses had been incurred was the best proof that they thought there was no mis-management, and that under the circumstances the best had been done that was possible. Much of the money referred to in the statement read by the Premier must have been in connection with the improvement of the road.

Hon. Mr. MACKENZIE—Much of it.

Hon Mr. TUPPER said there was what was commonly known as "cheap and nasty," and it was just possible that if hon. gentlemen opposite were willing to spend more money upon the route the term would be less applicable to it. Every one knew there had been loud and grievous complaints against the management of the road during the past season, and no doubt our American neighbors pocketed the results of it in the shape of railway fares. He considered it was a great misfortune to us that those who were seeking our western prairies could not be conveyed over our own lines of communication. No doubt the contractor labored under great difficulties, and the Government would be justified in giving him such remuneration as would enable him to do his work in a manner creditable to the country and comfortable to the passengers

Hon. Mr. MACKENZIE said that the service was efficiently performed, and after the first three weeks there was no unusual difficulty. If the buildings were nasty, as the hon. member for Cumberland had intimated, they were in the same condition as they were left by the Government of which the hon. gentleman was a member. If the Government had dismissed the officers of all the mis-managed departments, an entirely new set of officials would be required. With respect to the service referred to, the Government had made a wholesome change and next season still further improvements would be effected. Without a railway it would be impossible to compete with the American means of transportation, and every possible effort would be made to push forward the line from Lake Superior westward and from Georgian Bay eastward. In the meantime the navigation would be improved so that in the course of two years at least we would have reduced the journey to Manitoba to a journey occupying something like two or three days.

Mr. WHITE did not know that there was very great reason to find fault with the manner in which the service had been performed. The contractors were honorable men and very anxious to do their duty, and there was every reason to hope that next year they would do better.

The item was then passed.

On item 88, $370,000, Public Buildings in Ontario,

Mr. WOOD inquired if the Minister of Public Works proposed to erect the immigrant sheds at Hamilton on Government property. He pointed out the difficulty and danger there was in having the sheds located in their present position.

Hon. Mr. MACKENZIE promised the necessary information on concurrence.

Mr. McMILLAN said there was a considerable amount of money expended last year on the Post Office at London, and he was informed no tender had been asked for, either in the newspapers or any other public way. He desired to know in what way the contract was given out.

Hon. Mr. MACKENZIE replied that the officer of the department had given the contract. He promised to bring down papers with all the information.

The item was passed.

On item 89, $233,500, for public buildings in Quebec Province,

Hon. Mr. MITCHELL stated there were several explanations he would call for on concurrence.

The Committee then rose and reported, and the House adjourned at 12.50 a.m.

HOUSE OF COMMONS.

Wednesday, March 3rd, 1875.

The SPEAKER took the chair at three P. M.

A QUESTION OF ORDER.

Mr. DOMVILLE moved that the petition which he had this day presented from FRASER, REYNOLDS, & Co., asking that they be heard by Counsel before the Public Accounts sub-Committee, be now received and read.

Hon. Mr. HOLTON—That motion cannot be made without notice.

Mr. KIRKPATRICK read the rule of the House upon the subject and contended that the present case was one of urgency which brought it within the rule which allowed petitions in certain cases to be brought up immediately.

Hon. Mr. HOLTON said the motion for the reception of a petition could only be made on the day on which it was receivable by the House of a subsequent day, and this petition was not receivable till the day after to-morrow.

Hon. Mr. TUPPER observed that this case clearly came under the exception specified in the rule of the House which allowed a petition to be immediately dealt with. He proceeded to point out the urgency of the present case, stating that very grave charges had been made against the petitioner which were now being examined by a committee, and he now petitioned to be heard before that committee by counsel.

Hon. Mr. HOLTON said the hon. gentleman was out of order in discussing the merits of this case. He should confine himself strictly to the point of order.

Hon. Mr. TUPPER said he was confining himself to the point of order. He was showing the urgency of the present case, which would bring it within the rule allowing immediate action to be taken upon it.

Hon. J. H. CAMERON said the question of urgency was one to be decided by the SPEAKER. If the SPEAKER decided that the present case was one of urgency then it would be in order for the House to deal with it at once. But if he decided to the contrary, the ordinary notice would have to be given. He cited to the House three precedents in the English Parliament in support of his position.

Hon. Mr. MACKENZIE said the precedents quoted by the hon. gentleman were not to the point because there was no personal grievance complained of in the present instance.

Mr. SPEAKER said his impression was that the question of urgency did not arise at the present moment. The House was not in fact at the present moment in possession of the petition presented by the hon. member for Kings, and would not be technically in possession of it until two days had elapsed from the day it was presented, unless the House agreed unanimously to suspend the rules and order the petition to be received at once. The practice in our Parliament in this respect differed he believed from the practice of the Imperial Parliament. In the Imperial Parliament petitions were presented and received upon the same day, but under our rules two days had to elapse between the presentation and the reception. For this reason he did not think the precedents cited by the hon. member for Cardwell were in point.

Mr. DOMVILLE said that as this was a matter of common justice he would appeal to the House to allow the rules to be suspended. He moved—"That the rules be suspended, and that the petition of FRASER REYNOLDS & Co., be now received and read."

Hon. Mr. MACKENZIE.—There has been no notice given of that motion!

Mr. MASSON said he desired to raise the point as to whether a motion could be objected to before it had been read by the SPEAKER. He referred to the motion he had made the other day on the subject of the Menonite Loan, and stated that in that case his motion had been objected to and ruled out of order before it was read by the SPEAKER. He wished to have that point settled.

Hon. Mr. HOLTON said it was out of order to refer to a previous debate.

Mr. MASSON said the hon. gentleman was not acting with his usual fairness. It was a matter of some importance to the minority of the House to know whether when they presented a motion it could be ruled out of order before it was read by the SPEAKER, and consequently be prevented from going upon the journals of the House; and it was that point which he now wished to be cleared up.

Mr. SPEAKER read the motion of the hon. member for Kings, and said that as his attention had been called to the fact that no notice of this motion had been given he must rule it out of order.

Hon. Mr. TUPPER said the motion could be received by the unanimous consent of the House, and it did not appear that any one had objected to it.

Hon. Mr. HOLTON said the Premier had stated that no notice of this motion had been given, and that was equivalent to an objection; therefore the motion could not be received. With regard to the point raised by the hon. member for Terrebonne, he observed it was contrary to the practice of this House to allow every motion that was ruled out of order, no matter how obviously out of order it was, to go upon the journals of the House. With reference to the other matter referred to by that hon. gentleman he was prepared to deal fairly with the hon. gentleman upon that subject whenever he brought it up in a proper manner before the House.

Hon. Mr. MACKENZIE remarked with reference to the statement, that

because a motion was made by any hon. gentleman it must therefore go upon the journals of the House, that if that were done it might lead to very offensive motions appearing on our journals simply because some member might choose to propose it. That practice had not been followed in this House and he was satisfied it was not permissible either here or in England.

Mr. MASSON said it was of the utmost importance that the minority should be protected by allowing their motions, which might be ruled out of order on account of referring to money matters, to go upon the journals of the House. If that practice was not followed, then no member of the House could make any motion with reference to the expenditure of public money without moving a vote of non-confidence in the Government, or else moving to reduce the amount. The Minister of Public Works was mistaken when he said that motions which had been ruled out of order had never appeared upon our journals. He (Mr. MASSON) remembered that in 1870 no less than three such motions were so entered.

HON. Mr. CAUCHON said the hon. gentleman was altogether mistaken. If he would look at the journals of the English Parliament he would not find in them a solitary motion which was declared out of order. Such motions, with the decisions of the SPEAKER thereon, were to be found in *Hansard*. Any member could put his opinions on the journals of the House by adopting the proper mode.

Mr. MASSON said he had moved amendments to the tariff in 1870, which were ruled out of order by the SPEAKER, but which could be seen in the journals of the House.

HON. Mr. MACKENZIE said there was a difference between those amendments and the motion before the House—the former were out of order because of something they contained; it was the puttting of this motion that was out of order.

Hon. Mr. SPEAKER explained that the motion was not put from the Chair. On reading it he declared it out of order and returned it to the mover, not because some one said it was out of order, but because he (Mr. SPEAKER) considered it should not be put.

Mr. YOUNG quoted MAY, page 259, contending that the SPEAKER had taken the right course in ruling the motion out of order when he saw it was informal.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:—

Mr. SCHULTZ—To incorporate the North-Western Manufacturing Co.

Mr. JETTE—To grant further powers to the Montreal, Chambly and Sorel Railway Company, and change its name.

Hon. Mr. CARTWRIGHT—To amend the Act respecting the Public Debt and the Raising of Loans authorized by Parliament.

Mr. MOSS—To legalize and confirm certain agreements made between the Niagara Falls International Bridge Co., The Niagara Falls Suspension Bridge Co., and the Great Western Railway Co.

INSURANCE COMPANIES.

Hon. Mr. CARTWRIGHT introduced a Bill to amend the Act respecting insurance. This measure, he said, would be referred to the Committee on Banking and Commerce, and would be considered by them in its details. The object of the Bill was to make licenses renewable from year to year on a company's complying with the requirements of the Act. It also imposed certain restrictions on Mutual Insurance Companies in order that when their business was extended beyond the limits of the Province in which they were incorporated they might be placed on the same footing as other companies. The Government desired to institute a supervision and superintendence over such companies, and to create an officer to be known as the Superintendent of Insurance, whose duty it shall be to enquire into the solvency of Insurance Companies doing business in the Dominion. It was the intention of the Government in the first place to revise the Acts referring to Life as well as Fire and Marine Insurance Companies, but on full consideration of the matter it was determined to do no more at present than extend this supervision to the former. The Life Companies would not be otherwise meddled with in this respect—they would be expected to submit their affairs for inspection to the Superintendent of Insurance on the same terms and condi-

tions as the Fire and Marine Companies. There were certain minor details which they proposed to consider more carefully in the Committee on Banking and Commerce.

Mr. YOUNG asked the hon. Minister of Finance if he proposed to interfere in any way with companies that are doing business in a single Province, or if the Bill was intended to apply simply to those companies whose business extends throughout the Dominion or more than a single Province. Considerable interest was being taken in the Bill by the people; he had himself received several letters in regard to it, asking for information on the point he had raised.

Hon. Mr. CARTWRIGHT—As a general thing I may say that it is not the intention of the Government to interfere with Local Corporations, incorporated by the Provincial Legislatures, and doing business within the limits of their own Province; but as the question of Insurance is one among those specially relegated to the care of the Dominion Parliament, I am not prepared to say that in some respects it may not be found necessary to extend superintendence over them. Our general object, however, is to deal with those companies only that do business throughout the Dominion.

Mr. YOUNG was glad to learn that the Bill was to be confined to companies doing business throughout the Dominion generally. He did not think it would be advisable under present circumstances to interfere with the Mutual Companies in the Province of Ontario whose business was confined to that Province, and which as a general rule had worked well. Some fear had been entertained by those companies as to what legislation the Dominion Government proposed, and they would no doubt hear with satisfaction that the Bill did not refer to them. There are, however, a number of Mutual Companies in Ontario who were carrying on business in other Provinces, and it was absolutely necessary in the public interest that supervision should be exercised over their manner of conducting business; their responsibilities were so great that an inspector should be appointed whose duty it would be to ascertain whether their business was conducted so as to insure the safety of the insured. The inspection of Life Companies he considered was a step in the right direction. He had suggested the adoption of that course—a suggestion which had no doubt been also made by other hon. members—and in the course of time it would be found to be in the public interest to have as strict examination into the working of those companies as of the Fire Companies. Probably, in the meantime, the Government were going as far as was necessary in the public interest.

The Bill was read the first time.

NEW ARRANGEMENTS WITH BRITISH COLUMBIA.

Mr. BUNSTER asked when the Government intend to lay the printed papers before the House relating to any new arrangements made with the Government of British Columbia regarding the construction of the Canadian Pacific Railway.

Hon. Mr. MACKENZIE—The Government have nothing to do with printing of papers. The Government has laid the manuscript on the table, and the printing rests with the Printing Committee; I understand, however, they are printed, or almost completed.

CLAIMS OF CONTRACTORS ON THE INTERCOLONIAL RAILWAY.

Mr. PALMER asked whether it is the intention of the Government to take any, and if so, what measures for the settlement of the claims of contractors on the several sections of the Intercolonial Railway.

Hon. Mr. MACKENZIE—All the claims of the contractors are being settled as they come up.

SALARIES OF JUDGES OF COUNTY COURTS.

Mr. BLAKE asked whether the Government intends to propose any re-adjustment of the salaries of the Judges of the County Courts.

Hon. Mr. MACKENZIE—I have had an informal correspondence with the Government of Ontario with relation to the salaries of the County Judges. Complaints have come from all quarters of the inadequacy of the present salaries. But we also found that there were more County Judges than seemed to be necessary to perform the duties devolving upon those officials, and it has been a question with the Ontario Government whether a lesser

number of Judges could not discharge those duties, in which case the same amount that is now disbursed for salaries might be disbursed among a smaller number. If such an arrangement as that can be carried out, it is the intention of the Government to consider the propriety of making some addition to the salaries of the County Judges.

SYDNEY AND EAST BAY CANAL.

Mr. MACDONALD (Cape Breton) asked whether it is the intention of the Government to make provision this year for the building of the Sydney and East Bay Canal in Nova Scotia, as per engineer's report.

SCHOOLS FOR INDIANS.

Mr. GOUDGE asked whether it is the intention of the Government to establish a school or schools among the Indians of Nova Scotia similar to that established in some of the other Provinces?

Hon. Mr. LAIRD—The Government generally aid to some extent Indian schools, provided an application is made showing there is a probability of having a good average attendance of scholars maintained.

RAILWAY COMPANIES' BY-LAWS, &c.

Mr. DELORME moved for an Address to His Excellency the Governor General for copies of returns made by the different Railway Companies of their by-laws, and especially for the rules and regulations for the management of the Grand Trunk Railway of Canada, by which their rates for passengers and traffic have been increased during the last six weeks.

Hon. Mr. MACKENZIE — With respect to the hon. gentleman's motion I have to say that I am afraid there have not been regular returns made of the fares and regulations as provided by the General Railway Act; but it is the intention of the Government to exact a stricter compliance with the terms of the act in future, and to have the tariffs of fares and rates sanctioned before they go into operation. While the motion may pass, I do not think there are many papers to bring down in connection with it.

The motion was carried.

THE WELLAND CANAL.

Mr. NORRIS moved for an "Address to His Excellency the Governor General for copies of all estimates and reports of the engineers in charge of the Welland Canal, showing the cost of removing the rock bottom at Raney's Bend with a view to obtaining Lake Erie level." He said it was a well-known fact that the streams of water which years ago were sufficient to feed the Welland Canal were rapidly drying up. The water of the Grand River which was the feeder of the canal, had for years past been diminishing as the country was cleared up, and, indeed, during the last ten years there had been an inadequate supply of water for manufacturing purposes. For years past the country had been promised that the Lake Erie level should be obtained to feed the canal. During the last two or three years he had himself frequently seen vessels grounded in the canal for six or eight hours at a time, and under these circumstances the Government should lose no time in obtaining the Lake Erie level, especially when the engineers' reports would show that it could comparatively easily be effected. In 1867 the Commissioner stated that since 1850 the Port Colborne approach from the junction had been gradually enlarged and deepened to obtain the Lake Erie level with a draught of ten feet of water, which object was nearly achieved. The engineer on the work reported to the Commissioner in the same year that, with the exception of a strip of solid rock, consisting of about 1,000 cubic yards, and the removal of some loose rock in the rock cutting, and some eighteen inches of other material in other portions of the canal between Raney's Bend and the lock at Port Colborne, the excavation was nearly completed. The Engineer and Superintendent of the Welland Canal reported in 1869 that the operations for the purpose of obtaining the Lake Erie level was nearly completed, with the exception of a strip of rock and some other work, and estimated the total cost at $82,000. Mr. Page in his report of the 8th June, 1869, said that the failure of the Grand River at certain seasons to furnish the necessary supply had rendered the lowering of the water to the level of Lake Erie, a matter which could not judiciously be much longer delayed. He (Mr. Norris) was afraid that if the ensuing summer season was as dry as during the past two or three years, vessels would not be able to pass through the canal unless some new

arrangements were made. When the canal was first constructed, and during many years afterwards, mills and factories were erected on its banks and were supplied by the Government with water-power. At that time it was never anticipated that the supply of water would be so largely diminished. To such an extent was this the case that at the present time these establishments only had water one-half of the time. In 1869 or 1870, while the late Government was in power, Mr. BROWN was employed to remove the rock at Raney's Bend, but owing to an accident happening to the dam, the works were suspended, and they have not since been proceeded with. He hoped the work would be resumed by the Government at the commencement of next winter, when navigation had closed, and would be completed at as early a date as possible.

Hon. Mr. MACKENZIE said instructions had been given to use every possible expedition in getting the water of Lake Erie into the canal. On the particular point referred to by the hon. gentleman there had been an expenditure up to the 31st December of about $140,000. The entire amount of the contract for that work was about half a million. Peculiar difficulties had been encountered in prosecuting the work, as the hon. gentleman knew, but he (Mr. MACKENZIE) hoped to have the whole of the remaining work that had to be done to obtain a depth of twelve feet put under contract at an early day. He would not say anything about the other work at present because it was quite possible that he might have something to say on concurrence of the item in the estimates relating to that canal in the way of giving some more specific information in answer to the inquiries of the hon. member for Monck.

Mr. McCALLUM said that in 1866 the engineer reported that the work upon which the Premier had just stated $140,000 had been spent could be done for $60,000. He read an extract from the engineer's report on that point, and proceeded to say that he had urged this question upon the Government year after year, and he thought the mill owners and others living along the canal had good grounds of complaint against the Government for their dilatoriness in prosecuting the work. He did not believe the work could be completed by the end of 1876, as the Premier had stated. It might be completed by that time between Thorold and Lake Ontario, but if the Government persisted in their determination to make Port Colborne the entrance of the canal they would do well if they finished the whole work by the end of 1880.

Mr. SCATCHERD said the work on the Welland Canal was of as much importance to the whole Dominion as it was to the people living in its neighborhood, and it should not be considered in regard to the interest of any particular individuals but to the interest of the whole country. The expenditure upon this work should be made in the interest of the whole Dominion and not in the interest of a few mill owners living on the canal, who according to the statement of the Minister of Public Works were only entitled by their leases to the surplus water. A great many complaints had been made that the canal was not deep enough, but he submitted that the House must be guided in that matter by the opinions of the engineers of the Government who had only the public interest to serve in preference to the opinions of those who had private and sectional interests to serve, and who had no professional knowledge whatever upon the subject. It was time that this whole question should be regarded from a Dominion point of view rather than from the view of mill owners and others who had their private interests to serve.

Mr. PLUMB said the hon. member for Lincoln had large experience in the navigation of the Welland Canal, and it was not right to attribute selfish motives to the hon. gentleman in bringing this matter before the House. The mill owners on the understanding that the Government would furnish a good supply of water had expended a large amount of money in building up valuable properties on the line of the canal. Before the trade of the Lower St. Lawrence was developed, the Welland Canal depended largely for its business on these very mills. The question should receive the careful consideration of this House.

Mr. NORRIS denied that he brought up this question from any selfish motives; he spoke entirely in the public interest. If the canal should run dry, as he very much feared it would next summer, the whole country, and especially Montreal,

which depended nearly altogether on the trade of that canal, would suffer. It was quite true that the leases of the mill owners did not legally bind the Government to supply the mills with more than the surplus water, but the Government were morally bound to furnish them with as good a supply as possible. Then why was this work delayed? It would cost as much ten years hence as now. Though a large amount of money had been expended to furnish water, none of it had been spent to get it from Lake Erie. The whole outlay was to procure it from the Grand River, where an increased supply could not be had. Three years ago, as one of a delegation, he brought this matter under the notice of the Government, but no steps had been taken to make the improvement desired. He spoke not in favor of the mill owner or of any private individuals but the country at large.

Hon. Mr. MACKENZIE said the terms of the leases to the mill owners were very explicit indeed. They were entitled to the surplus water and more mills had been built than this surplus water could supply. When the canal was built the supply of water from natural drainage was greater than at present, and extended over the whole year. The rapid clearing of the country had almost dried the marshes in the woods which formerly filtered through the soil and kept up a constant supply of water. Until the Lake Erie level was obtained it would be quite impossible to supply the mills—on the upper levels at all events—with all the water required. The Government had done all they could for the mill owners by exacting a merely nominal rent. More than that could not possibly be done. He regretted exceedingly their unfortunate position, but it was quite impossible that the Government could pay them compensation or purchase their mills. Some of them were quite unreasonable. One man who had paid no rent for eight or ten years, resisted its collection on the ground that he was prevented from building a mill for two years by the failure of the Government to furnish a sufficient supply of water, and he considered the consequential damages covered the rent. What the Government could fairly do would be done. He would see the engineer with reference to the line of the Lake Erie feeder.

The motion was carried.

Mr. Norris.

DOMINION NOTE CIRCULATION.

Mr. WILKES moved the appointment of a select committee to report on the question of the Dominion note circulation generally, and as to whether the continuance of such currency in circulation is in the public interest; such committee to have power to send for persons, papers and records. He said this motion was based on a statement brought down last session, showing the amount of Dominion and Provincial notes issued on the 1st January, and the 1st of July, in each year from 1868, with the amount of such notes at each period held by the chartered banks as reserve, and the amount of specie held by the Receiver General at each period; also the circulation and paid up capital of the chartered banks at each period; also the estimated cost of the Dominion note circulation in connection with the Receiver General's Department, together with an estimate of the nett gain to the revenue by the Dominion note circulation. For the period covering six years, given by periods of half-years, commencing June 30th, 1868, when the circulation was $3,795,000 to December 31st, 1873, when it was $12,095,086, the amount varied, a large increase taking place in 1871. The average circulation of the total period of six years was $8,133,870; the specie reserve held by the Receiver General during the same period was $2,011,128. This reserve also varied from year to year, the largest amount being held in December, 1871. The first return showing that Dominion notes were held by chartered banks in lieu of specie was in December, 1871, when the amount was $6,719,418. It increased to $8,582,638 in December, 1873. The return brought down last session also gave the estimated profit resulting from this circulation, premising that the money was worth five per cent. to the country. The amount of such interest in 1868–9, was $188,580; cost of management, $204,857. In 1869–70, the interest was $264,317; cost of management, $209,434, showing a profit of $54,883, upon a circulation of seven millions of dollars. In 1870–71, the interest was estimated at $283,075; cost of management, $273,511, showing a profit of $9,564. In 1871–2, the interest was $369,727; cost of management, $183,707. In 1872–3, interest $434,261; cost of

management, $71,076. For convenience sake he had made an average of these figures for the five years from 1868 to 1873. The average total issue amounted to $8,133,000; average note issue over specie reserve, $6,122,000; average specie reserve, held by the Receiver General, $2,011,000, or 24¾ per cent.; average interest at five per cent. on the circulation over the specie reserve, $306,000, and average expenses, $188,000, showing a nett profit of $199,475, or a profit upon the actual note circulation in excess of the specie held, of 1.95 per cent. He repeated that the profit for five years, on the total circulation of the country, was less than two per cent., supposing the money was worth to the Government the full amount of five per cent., and there were no secondary considerations diminishing that amount. The average Dominion notes held by the banks amounted to 15¼ per cent. of their capital over the same period of five years. The average circulation of the banks to their paid up capital was 45 per cent. during the same period. The average Dominion notes in actual circulation, that was to say, in the hands of the public, deducting the amount held by the banks, was $3,442,881 or less than three and a half millions. The average proportion of Dominion note circulation to the bank-note circulation was one-eight, or 12½ per cent. It might be argued that this return did not fairly state the position of the Dominion note circulation and the benefits arising from it. He had, therefore, compiled a second statement which he had obtained from the Auditor General, giving the figures in another arrangement, and to a later period. It would be remembered that during a portion of the period between 1867 and 1871 the Bank of Montreal had controlled the Dominion note circulation or was the only bank that came into the terms of the circulation act. During the period from 1867 to 1871, the average note issue over the specie reserve was $4,152,000; average interest at five per cent., $207,000; average expenses, $205,000, or a sum of $2,292 as the total profit resulting per annum from the circulation during the period referred to up to 1871, or .55 per cent. —a little over a half of one per cent. This he designated as the weakest period of the Dominion note circulation. The return for the further period from 1872 to 1874 showed the average note issue over specie reserve to be $8,493,000; average interest, $424,000; average expenses, $99,000, showing a profit of $325,000, or 3.80 per cent. Now, by putting the two together and giving the average for the eight years ending with 1874, the profit upon the whole issue of Dominion notes amounted to 1.77 per cent. It would now be asked, was this profit made in the latter period between 1872-4 any actual gain to the country. It had been the custom of the Government of this country for a number of years to deposit in most of the chartered banks. In 1870 the amount so deposited in the chartered banks was on 30th June $2,387,000, and it continued in varying sums up to 30th June 1873 when it amounted to $5,500,000; in 1874 it stood at $5,125,000, and on 31st December last it was $4,110,000; making during those five years an average deposit of $3,958,000 in the hands of the banks without any interest being paid thereon. That amount was distributed among twenty-nine chartered banks in sums varying from $50,000 to several millions. Taking the average amount stated,—almost four millions—the interest, at 5 per cent would amount to $197,900 on which he would make the following comparison:—The average profit from Dominion note circulation between 1868 and 1873 was $119,000, the interest at 5 per cent on the average amount of Government money on deposit in the chartered banks without bearing interest, was $197,900 thus showing an absolute loss of $78,000 per annum. For the period of 1872-73-74 the average profit on note circulation was $325,000, against which, if interest at 5 per cent on the amount of Government money in the chartered bonks is deducted, there remained $127,516 as the total profit of the Dominion note circulation on twelve million dollars. He did not propose to debate the question as to whether that was a profitable operation or not; if any hon. member thought it was, he was entitled to his opinion, but he (Mr. WILKES) has taken the liberty of submitting to the House a statement of the facts. It could not be shown that the profit to the country from the Dominion note circulation had been anything more than a *bagatelle*. The point he wished to establish, and it was established by his figures, that about one and three-quarters per cent.

was the total benefit per annum reverting to the country from the Dominion note circulation, supposing the money to be worth five per cent.; and when from that sum was deducted the amount belonging to the Government, not bearing interest, held by the chartered banks, there was an absolute loss entailed by the system. Of course, it might be said that the Government deposits were not made in respect of Dominion note circulation. He was aware that Sir FRANCIS HINCKS proposed in his Bill of 1870 to hold about one million and a half in special deposit in order to supplement the 35 per cent. of gold reserve which he proposed to hold for all the circulation exceeding nine millions; but that deposit was never authorized by law, and although it appeared in the public returns, it was purely nominal, because it was an ordinary Government deposit. But he took the simple fact that the Government as the custodian of the public money of this country, has habitually deposited money in the chartered banks without interest, that, at the same time, the Government were enjoying the advantage of the amount of circulation which the banks held on the Government behalf, and also the amount of Government notes in circulation in the hands of the people, which was a very small proportion of the whole. A careful estimate showed that only three millions of Dominion notes were in actual circulation, the balance being held by the banks. The system at present in operation was, however, not the creation of the present Government. On turning to the debates of 1870, he found that Sir FRANCIS HINCKS in the debate which occurred at the time when the Dominion note circulation was being introduced, expressed his opinion strongly in favor of the theory that the best system was a government bank of issue, the profits of which should go to the public. The question of a government bank issue was one open to debate, and if Sir FRANCIS HINCKS had introduced a measure to establish a government bank issue, he (Mr. WILKES) could understand the course Sir FRANCIS had pursued. His issue, all told, only amounted to one-eighth of the total circulation of the country, and two-thirds remained in the hands of the chartered banks; therefore so far as supplying a currency to the people, the Dominion note circulation did not give a currency at all. He would not now discuss that question, but should it ever be introduced into Parliament it was one worthy of debate. But it had not been tried by this country and he thought he might risk the opinion that it was likely to remain a long time untried. That policy was not the one introduced, but the hon. gentleman who then had charge of the finances stated what his views were, and therefore, he (Mr. WILKES) might reasonably conclude that Sir FRANCIS HINCKS regarded his measure as the entering wedge of a Government bank issue, and that in the meantime the profits would go into the pockets of the people. In this matter the Government of to-day were not responsible for the action of their predecessors, but they must take the responsibility of dealing with the question. In the debate on Sir FRANCIS HINCKS' measure, Mr. MACKENZIE, the present Premier stated: "He thought that both (Sir A. T. GALT "and Sir F. HINCKS) were wrong; that "the country regarded as a failure the "policy of that time, and any new banking scheme looking that way would be a "failure." Mr. CARTWRIGHT, the present Finance Minister stated: "The Finance "Minister (Sir F. HINCKS) had laid down "positions which he (Mr. CARTWRIGHT) "must controvert. The first was that it "was expedient that the Government "should assume control of the circulation." "The second was that the State had an "inherent right to the profits arising from "circulation." "If the Government took "the circulation into their hands it would "terminate in an irredeemable currency "with all its evils." "As to the question "of the practical monopoly of small notes, "he need not say that he was utterly "opposed to it as a matter of principle." "He was greatly opposed to Government "interference in banking, as proposed, "as he would be to appointing the Government to exercise judicial functions." Giving it clearly as his opinion that he was opposed to the introduction of the scheme which SIR FRANCIS HINCKS had stated was in the direction of a Government bank of issue, Mr. MACKENZIE also stated further: "In Ontario the "scheme was opposed on popular reasons. "It was regarded there as a scheme to "obtain more money, and as a plan on the "part of the Government to force them-

"selves into the banking business," "He "thought that the circulation of bank "notes ought to be in accordance with the "public requirements and should not be "retarded or restricted by any arbitrary "provisions." During the course of that debate it was moved in amendment by Mr. CARTWRIGHT, "That "the Speaker do not now leave the "chair but that it be resolved that it is "not expedient to authorize the issue of "legal tender notes in the manner author-"ized by the said resolution." The vote on this amendment stood; yeas 29, nays 110, and among the yeas he noticed the names of BLAKE, CARTWRIGHT, DORION, GEOFFRION, HOLTON and MACKENZIE. He would also quote from the remarks made by the hon. member for Chateauguay on that occasion that hon. gentleman said: "The proposition of the Government was "in the nature of a forced loan in the "first instance and therefore objec-"tionable in principle, and might be "clearly shown to be fraught with "very dangerous practical consequences." "He could well understand the policy of "repressing the circulation of the banks "altogether, and superseding that cir-"culation by a Government issue." "The "chiefly objectionable features of the Bill "were the suppression of the small note "circulation of banks; and to invest a "large portion of their reserves (50 per "cent.) in the paper money of the Gov-"ernment."

These enunciations of sound views did not need his (Mr. WILKES') endorsement, but it might not be amiss for him to say that in the west particularly, and he dare say in other places, that the Government of the day were expected to carry out as far as possible the opinions they had entertained while in Opposition. He would detain the House to present another, and, in his estimation, a very important aspect of the question, namely; how it affected the circulation in the hands of the people, including also the question of reserves. 1st, the average total circulation of Dominion notes in six years was $8,133,000; specie reserves held by Government, $2,011,000; or 24¾ per cent. Now, he was very much pleased to notice that the Finance Minister had introduced a Bill authorizing him to increase this reserve from about 25 per cent. to a very much larger sum. Although practically nearly 25 per cent. had been held, the Act of Sir FRANCIS HINCKS only called for 20 per cent. of gold reserve up to nine millions, and 35 per cent. for any issue beyond that up to 12 millions. The bank deposits on the 31st December last were in the neighborhood of $85,000,000; bank circulation, $28,000,000; and Dominion note circulation $12,000,000, making a total liability to the public of $125,000,000. To meet this liability the Government and the banks were holding a certain amount of reserve. Specie held by banks, say, $7,500,000; specie held by Receiver General, $3,098,000, making in round numbers $10,600,000, or 8½ per cent. as against the total liability. What he desired to call the attention of the House to was this, that for all practical purposes the Act of Sir FRANCIS HINCKS had reduced the reserve of the banks; and that the amount of gold held by the banks and by the Receiver General had never been sufficient for what was wise and prudent to keep in this country, and that therefore the tendency of the system was towards a reduction of the specie reserve, as no amount of Government bills held by the banks was sufficient for all the contingencies of banking and trade. With the permission of the House he would compare the reserves held in the United States with those held in this country by the Government and the banks. It would be noticed that he did not take recent dates, because it would not be fair to select a time when there was a tightness in the money market from exceptional causes, and therefore he took the figures only down to 31st December of last year. In the United States the deposits in the national banks amounted in 1874 to $293,000,000 on the average; circulation of the national banks, $454,000,000, for which they held in round numbers, legal tenders, $32,000,000; gold, $2,375,000; in the hands of redemption agents, $52,000,000; and redemption bonds, $11,000,000, making in all reserves of one sort or other, $100,000,000, or 13⅜ per cent. Putting it in another form the legal tender issue of the United States amounted to $348,000,000; National Bank circulation, $454,000,000; National Bank deposits, $293,000,000, making in all $1,096,000,000. The estimated specie held by the Government and the banks in the United States amounted to $166,000,000, or 15 per cent. of the total liability. Now, if in

the United States upon the legal tenders of the Government, and the issues of the National Banks were not redeemable in gold the total gold in the hands of the Government and the banks amounted to so large a proportion as 15 per cent. of the total liability, that seemed to him to be a strong reason why the gold reserves in this country should be very largely increased. Having treated of the reserves, and of the tendency of our system to reduce the reserves of gold lower than the circumstances of the country would justify, and of the results of our system of mixed currency, he would now make a few observations on the subject of our circulation as compared with that of the United States. The bank capital of Canada amounted to about $74,000,000, and the bank capital of the United States to about $490,000,000. In the United States there were 1,971 banks and in Canada 42. But, the point he wished to call the attention of the House to was the proportion of bank capital *per capita* of the population. In the United States it was $12.25 cents per head of the population and in Canada $18.50, or one-third more in Canada than in the United States. The circulation of the United States amounted to $348,000,000 legal tenders; and $454,000,000 National Bank currency; in all $803,000,000 as against our total circulation of banks $28,500,000; Government legal tenders $12,000,000; in all $40,500,000, showing—and this was the point to which he wished to direct the attention of the House—that the circulation in the hands of the people of the United States was $20.85 per head of the population whereas with one-third larger banking capital we had only a circulation of $10 per head of our population. The same comparison would hold good with reference to the deposits. The bank deposits of the United States were $293,000,000, or $7.32 per head; and in Canada $85,000,000, or the enormous sum of $21.25 per head, or nearly three times as large an amount of deposits as in the United States in proportion to our population. He ought here to remark that this amount was properly reduced by an element which he did not find in the United States returns, and he hoped the time would come when we would not find it in our returns, namely; Government deposits which amounted to $17,000,000, so that the $85,000,000 of deposits in Canada would be reduced by that amount, which represented both Dominion and Provincial Government deposits reducing the amount of deposits to $17 per head. Still our deposits were nearly two and a half times greater than the deposits made by the people of the United States. From these figures he thought it could be clearly established that the circulation in the Dominion of Canada was insufficient for the requirements of the trade, and consequently anything that tended to limit that circulation or restrict it was not in the interest of the country. He was aware that it was frequently held that the calculation which he had now made was for a currency which was not redeemable in gold, and that therefore the circulation of the United States, amounting to eight hundred millions of dollars, did not fairly compare with our forty millions. But this he held was a fallacy. The circulation in the hands of the people would purchase all the commodities required by the people, and this circulation answered all their purposes just as well as our circulation answered the purposes of our business.

Mr. CHARLTON asked whether the statement which the hon. member had just made with respect to the deposits in the banks of the United States included deposits in the Savings Banks and in the State Banks as well as Federal Banks.

Mr. WILKES said it did not include deposits in the savings banks, because he had not included the deposits in savings banks in Canada. He had only taken the deposits in our chartered banks, and in the National banks of the United States.

Mr. CHARLTON said that the deposits in the savings banks in the State of New York, alone exceeded the amount which the hon. gentleman said was deposited in the National banks.

Mr. WILKES said that the deposits in our savings banks would compare very favorably in proportion to our population, with the deposits in the savings banks of the United States. It might be said that the figures he has just given to the House, merely presented the monetary aspect of the question, and that, in order to make the comparison complete, it should include a comparison of the trade of the two countries. Instituting that comparison, it could be shown that if the trade of the United States required a circulation of

twenty dollars per head, it would become the duty of the Government and this House to devise some means by which the circulation in the hands of the people of this country for the purposes of trade would be increased. Last year the exports the United States amounted to $586,000,000, and the imports to $567,000,000, being a total of $1,153,000,000. The exports of the Dominion were $89,000,000, and the imports $128,000,000, making an aggregate of $217,500,000. Bringing these figures to the same test as before which he maintained was the only true test, namely—the test of population, it appeared that the total trade of the United States was $28.22 per head of the population, whereas the total trade of the Dominion amount to $54.39, or nearly double that of he United States. He maintained therefore that as we had double the foreign trade of the United States in proportion to our population we certainly required at least an amount of circulation per head equal to that of the United States. Again, take the tonnage of the United States. It amounted to 4,800,000 tons, being .12 of a ton to each head of the population; whereas the tonnage of the Dominion was 1,073,000, or .27 per head of the population—more than double the tonnage of the United States in proportion to our population. He was not prepared to take the position that some take, that our national debt was an element of strength. He would say that the fact that we had a larger volume of trade *per capita* than the United States, and the United States had a larger debt, was an additional argument why our circulating medium should be increased. The debt of the United States was $2,290,000,000, or $57.50 per head. The debt of Canada amounted to $140,000,000, or 35.25 per head, showing that even on this basis the comparison lay in the same direction. The revenue of the United States amounted last year to $289,000,000; the revenue of Canada to $24,000,000, showing $7¼ per head of the population of the United States, as against $6 per head of the population of the Dominion. When it was considered that the rate of duty in the United States was at least double what it was in Canada, both in the tax on imports and the rates of excise, it would be seen that the comparison was very favorable indeed. He was aware it was not a very interesting subject with which to weary the House, but he had put the long array of figures as concisely as possible, without giving details, in order that they might be less difficult to remember. He would summarize them in a few words. We have in this country a double system of banking, described by a gentleman on the Treasury benches as an attempt by the Government of the day to force themselves into the banking business. The system of currency in this country was, so far as he was aware, without a parallel in any country.

Mr. PLUMB—I think there is a similar system in the United States.

Mr. WILKES said they were not analagous in the last degree. The currency of the United States was irredeemable, and no gold reserve was held for it, whereas the currency of Canada professed to give one dollar in gold for every dollar bill on presentation. This was the distinction between the two systems, and he was not aware that any country in the world possessed a currency like ours. That greater evils had not resulted from it than had been manifested might not be due to the system, but to the restriction placed on the system. After all, it would appear to any one on the slightest reflection that the system of attempting to supply the requirements of this country, where there was a circulation of something like $31,000,000 in the hands of the public, by a Government circulation of $3,000,000 was a failure, and did not meet the requirments of the country. The actual effect of the Government issue was simply to place a certain amount of Government legal tenders in the vaults of the banks of the country. There was one useful purpose which this circulation answered. Formerly, banks in settling their balances with each other day after day had to pay the balances in gold. This was a tedious process, and attended with some risk. Now, the advantage of the Dominion note was that the banks were able to pay over their balances in notes of very large denominations. Consequently, a very small package made a large amount, and the balances were easily settled. This was of great use, but beyond that he had been unable to trace any justification for the Government of this country undertaking to make an issue of bills payable in gold and at the same time take

all the risk consequent upon such a large amount being held by monetary institutions that might at any day require gold. The question of profit could be easily disposed of. There was no reason why the Government should not be entitled to the benefit of our circulation instead of the chartered banks. The risk had hitherto been on the part of the country, and the profit infinitessimal. If it were urged that the profit was likely to be larger in the future, he would ask was it well for this country, for a paltry three per cent., to allow $3,000,000 of its capital to remain idle, and to risk disturbing the trade of this country. The system was bad, and the Government would be entitled to the gratitude of the country if they would deal with it in a satisfactory manner. The system in England, New York and elsewhere, would meet in a better way all the necessities of the bank exchanges. In the leading cities of the Dominion it would not be a difficult thing for the banks to arrange among themselves, if they were so disposed, or the Government were to indicate such an arrangement, that they would have a clearing house in which balances could be settled without the use of gold at all. Consequently, the benefit of the Dominion note circulation could be gained in another manner.

At six o'clock the debate was adjourned, Mr. WILKES still having the floor, and the House rose for recess.

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After Recess.

SECOND READINGS.

The following Bills were read a second time :—

Mr. JETTE—To incorporate the Royal Mutual Life Insurance Company of Canada.

Mr. JETTE—To amend the several Acts incorporating or relating to the Richelieu Company, and to change its name.

Mr. MACKENZIE (Montreal West)—To amend the Act incorporating the Canadian Navigation Company.

THE FISHERY QUESTION.

The Order was called for the further consideration of the proposed motion of Mr. MILLS for an address praying for correspondence in reference to compensation to be paid by the United States to Canada under the Treaty of Washington for the right of fishing in Canadian waters.

Hon. Mr. MITCHELL said he objected to the two propositions laid down by his hon. friend from Bothwell in discussing this question, namely; that the commission to meet at Halifax had no power to deal with the fishery boundaries, and therefore could not ascertain the damages; and secondly, that before the commission met, the British Government should be asked to obtain the settlement of the question of boundaries. While he entirely agreed with the object of the hon. gentleman's motion, he dissented from the reasons the hon. gentlman gave for making it. He was free to admit that any decision which the commission might arrive at would not be binding upon either country beyond the provisions of the Washington Treaty. In his judgment it would be most suicidal for this country to ask Great Britain to approach the United States in order to obtain the settlement of the question of our fishery limits before the commission should meet at Halifax. Our true position was to claim all those rights which had been recognized as ours for over half a century, and not throw doubts upon our claims by asking England to seek a negotiation with the United States to define what our rights were.

Mr. MILLS—Why did you send a commissioner to England for this very purpose ?

Hon. Mr. MITCHELL said he was prepared to discuss that question at the proper time, but at present he would proceed with the plan he had marked out for himself, namely : to give an historical *résumé* of this whole question of our rights as regards the fisheries. After the American war of Independence it became necessary to consider what were the rights of England in relation to the fisheries of the shores of what was now the Dominion of Canada. The United States as the successors of the old British colonies claimed that as they as colonists had helped to conquer what were now the British Provinces of Nova Scotia, New Brunswick and Quebec from France, they possessed a co-equal right of fishing on the shores of those Provinces with those of the old colonists who remained loyal to the British Crown from whom they voluntarily separated themselves, and in the peace of

1783 they succeeded in getting considerable concessions. He read article 3 of the Treaty of 1783 showing that under it the Americans were allowed to fish on the coasts of British North America in the same manner as the subjects of Great Britain, but no right was given to them to do so. It was merely the liberty to fish that was granted to them, but with respect to the deep sea fisheries the right was conceded to them as to all other nations. It was important to observe the two-fold sense of Article 3 of the Treaty of 1873. In the first portion of the Article there was a clear recognition of a continuing "right" of fishery which "the people of the United States shall continue to enjoy" in those parts of "the sea" which had been commonly used by colonists to the exclusion of the French; then, in the other portion was an equally plain and distinct concession of "liberty" to use certain specified waters and coasts within the jurisdictional limits of the British possessions in common with British subjects. In this position the matter stood till the war of 1812, and the question was how far that war affected the treaty of 1873 as regards the fisheries. Some American jurists claimed that as their "right" to independence and to the deep sea fisheries were not abrogated by that war so also the "liberties" to use the in-shore fisheries, which were granted them in the same treaty, were not abrogated. At Ghent the American Commissioners went further, and claimed that the treaty of 1783 must be looked on as of the nature of a contract, and that the right to the fisheries was upon the same footing as the right of independence. After the close of the war of 1812, the convention between England and the United States contained no reference to the question of the fisheries. The fact was that the commissioners found it was impossible to come to any understand on that question and therefore it was left in abeyance. It was not till 1815 when Lord BATHURST sent out instructions to absolutely enforce the rights of Britain and exclude American fishermen from the in-shore fisheries that the Americans were compelled to look the question fairly in the face, and consider what was the best way to remove the difficulties under which their fishermen labored. The negotiations culminated in the convention of 1818. With reference to the effect of the war of 1812 upon the fishery clauses of the treaty of 1783, he would with permission of the House cite a few authorities. He read an extract from Wheaton's Law of Nations page 325 on this point. Further on the same author stated: "The entire instrument implied permanence and hence all the fishing rights secured under it to the United States were placed on the same foundation with their independence itself." Mr. ADAMS and Mr. CLAY maintained the same view, stating in a proposition presented to the British Commissioners that the Americans "held their rights of fishing by the same tenure as they did their independence." To this doctrine there was one dissentent voice among the American Commissioners. Mr. RUSSELL held that "the treaty of 1783 in relation to the fishing liberty was abrogated by the war." These pretensions of the majority of the American Commissioners that the fishery article of 1783 survived the war of 1812 were at once met by the British Commissioners, who were sustained by their Government, by the proposition that the war put an end to all treaties, and that in relation to the treaty of 1783 the "concessions" or "liberties" therein conceded as distinct from "rights" clearly terminated with the declaration of hostilities. In support of this proposition he read extracts from the following authorities: Twiss' Law of Nations, London, 1861, page 377; President's Message, 1847; Kent's Commentaries on American Law, vol. 1, p. 175; Supreme Court of the United States, Sutton vs. Sutton, Russell and Mylne's Reports, vol. 1, p. 663; and Wheaton, p. 494.

In accordance with the position thus assumed by the British Government and sustained by the law of nations, on reference to Wheaton, page 463, it appears that,

"During the negotiations at Ghent, in 1814, "the British plenipotentiaries gave notice that "their Government did not intend to grant to "the United States gratuitously the privileges, "formerly granted by Treaty to them, of fish-"ing within the limits of the British Sover-"eignity, and of using the shores of the British "territories for purposes connected with the "British fisheries. In answer to this declara-"tion the American plenipotentiaries stated "that they were not authorized to bring into "discussion any of the rights or liberties which "the United States have heretofore enjoyed in "relation thereto; from their nature and from "the peculiar character of the treaty of 1783, "by which they were recognized, no further

"stipulation has been deemed necessary by the "Government of the United States to entitle "them to the full enjoyment of them all."

Wheaton further adds, that :—

"The Treaty of Peace concluded at Ghent, "in 1814, therefore contained no stipulation on "the subject ; and the British Government "subsequently expressed its intention to ex- "clude the American fishing vessels from the "liberty of fishing within one marine league of "the shores of the British territories in North "America, and from that of drying and curing "their fish on the unsettled parts of those ter- "ritories, and, with the consent of the inhabi- "tants within those parts which had become "settled since the peace of 1783."—*Wheaton, p,* 463.

By article 8 of the same treaty of 1783 it had been agreed :—

"'That the navigation of the River Missis- "sippi, from its source to the ocean, should for "ever remain free and open to the subjects of "Great Britain and the citizens of the United "States.' And, although it was described in "that instrument as a 'right' secured to Bri- "tish subjects for ever, it was withheld, and "has been ever since enjoyed exclusively by "the United Statas, because the participatory "right '*had not been renewed by the Treaty of "Ghent.*' If a definite 'right' of navigation on "the waters of a foreign State be annulled by "war, how much more should a participant "'liberty' of fishery be subject to the same "contingency."

On this point he referred hon. members to Wheaton, page 353. During the war the Americans practically abandoned the Fisheries, and their common uses with British subjects was incompatible with a state of hostilities. The *liberty* conceded ceased with war and was withdrawn by the British as it was practically abandoned by the Americans; and by their assent to the convention of 1818 they agreed to an actual abandonment of their rights and to accept a limited enjoyment of conceded privileges, however, repugnent it may have been to their views. In support of these points Mr. MITCHELL quoted from Mr. ADAMS' despatch of September 15, 1815, and Mr. MUNRO'S statements, and read the instructions given to Vice Admiral KEATS in the despatch of Earl BATHURST of 17th June 1815, in which (said Mr. MITCHELL) the views of HER MASESTY'S Government were clearly expressed and the position they assumed in relation to the treaty was defined. In the course of that communication Lord BATHURST said :—

"I am commanded by HIS ROYAL HIGHNESS "the PRINCE REGENT, to instruct you to abstain "most carefully from any interference with the "fishery, in which the subjects of the United "States may be engaged either on the Grand "Bank of Newfoundland, in the Gulf of St. "Lawrence, or other places in the sea. At the "same time you will prevent them, except "under the circumstances hereinafter men- "tioned, from using the British territory for "purposes connected with the fishery, and will "exclude their fishing vessels from the bays, "harbors, rivers, creeks and inlets of all HIS "MAJESTY'S pessessions. In case, however, it "should have happened that the fishermen of "the United States, through ignorance of the "circumstances which affect this question, "should previous to your arrival, have already "commenced a fishery similar to that carried "on by them previous to the late war, and "should have occupied the British harbors, and "formed establishments on the British terri- "tory, which could not be suddenly abandoned "without very considerable loss; HIS ROYAL "HIGHNESS the PRINCE REGENT, willing to give "every indulgence to the citizens of the United "States which is compatible with HIS MAJES- "TY'S rights, has commanded me to instruct you "to abstain from molesting such fishermen, "or impeding the progress of their fishing dur- "ing the present year, unless they should, by "attempts to carry on a contraband trade, ren- "der themselves unworthy of protection or "indulgence ; you will, however, not fail to "communicate to them the tenor of the instruc- "tions which you have received, and the view "which HIS MAJESTY'S Government take of the "question of the fishery, and you will above "all, be careful to explain to them that they "are not in any future season to expect a con- "tinuance of the same indulgence."

The result of these prompt and decided measures on the part of the British Government induced American Statesmen to see the folly of their pretensions in the recent negotiations, and advances were made which resulted in the convention of 1818. The fishery article of that convention provided :—

"And the United States hereby renounce for "ever any liberty heretofore enjoyed or claimed "by the inabitants thereof, to take, dry, or "cure fish, on or within three marine miles, of "any of the coasts, bays, creeks or harbors of "HIS BRITANNIC MAJESTY'S dominions in "America, not included within the above men- "tioned limits ; provided, however, that the "American fishermen shall be admitted to enter "such bays or harbors, for the purpose of shelter "and of repairing damages therein, of purchas- "ing wood, and of obtaining water, and for no "other purpose whatever. But they shall be "under such restrictions as may be necessary "to prevent their, taking, drying, or curing fish "therein, or in any other manner whatever "abusing the privileges hereby reserved to "them."

By this article the American Government in place of obtaining the concession made then, in the treaty of 1783 of equal rights of fishing with HER MAJESTY'S subjects,

deliberately renounced any liberty they had heretofore enjoyed or claimed, and agreed to their exclusion from the fisheries within three marine miles of the coasts, bays, creeks or harbors, of British Dominions in America. In order to a proper understanding of the question, Mr. MITCHELL proceeded to inquire as to what are the rights of nations in relation to the fisheries on the high seas, and which are universally recognized and admitted, and what are those exclusive rights which pertain to nations in certain waters. He quoted the following authorities:—Twiss' Law of Nations, pp. 252, 253 and 264; Wheaton, p. 326; Angell on Tide Waters; Vattel, 128; Selden, 182; Marters, 161; Wheaton's Elements of International Law, p. 320; Haute feuille Droits des Nations, p. 89; Bynkershoek, p. 323, of Lawrence's Wheaton; Kent's Commentaries, pp. 25, 29 and 30; Grotius de jure belli et pacis, L. II.; Halleck's International Law; Puffendorff Law of Nature and of Nations, L. I V.; Vattel's Law of Nations. Mr. MITCHELL (continuing) said he would next consider the effect and scope of the convention of 1818. That convention left the rights of Americans and British to participate in the fisheries of the open sea just as they existed under the treaty of 1783; but it curtailed the liberty which the Americans formerly enjoyed of taking fish within the three mile limit, while it gave them enhanced facilities for curing. After signing the convention of 1818, Great Britain continued to exercise and enforce the exclusion of American fishermen from our shores, and construed the treaty to mean a limit of three miles from headland to headland, and from three miles outside of the mouths of bays. From that time until the reciprocity treaty of 1854, our exclusive right to the use of the fisheries was rigidly enforced by the British Government. True, our rights were often infringed upon by the Americans, but they were never yielded. In 1841 the Americans began to poach more extensively, and the subject was brought under the notice of the Legislature of Nova Scotia, and on June 8th in that year the following questions were proposed by the House of Assembly for consideration of HER MAJESTY'S legal advisers:—

"I. Whether the treaty of 1783 was annulled by the War of 1812, and whether citizens of the United States possess any right of fishery in the Waters of the Lower Provinces other than ceded to them by the Convention of 1818; and if so, what right?

"II. Have American citizens the right, under that Convention, to enter any of the Bays of this Province to take fish, if, after they have so entered, they prosecute the fishery more than three marine miles from the shores of such bays; or should the prescribed distance of three marine miles be measured from the headlands, at the entrace of such bays, so as to exclude them?

"III. Is the distance of three marine miles to be computed from the indents of the coasts of British America, or from the extreme headlands, and what is to be considered a headland?

"IV. Have American vessels, fitted out for a fishery, a right to pass through the Gut of Canso, which they cannot do without coming within the prescribed limits, or to anchor there, or to fish there; and is casting bait to lure fish in the track of the vessel fishing, within the meaning of the Convention?

"V. Have American citizens a right to land on the Magdalen Islands, and conduct the fishery from the shores thereof, by using nets and seines; or what right of fishery do they possess on the shores of those islands, and what is meant by the term shore?

"VI. Have American fishermen the right to enter the bays and harbors of this Province for the purpose of purchasing wood or obtaining water having provided neither of these articles at the commencement of their voyages, in their own country; or have they the right only of entering such bays and harbors in cases of distress, or to purchase wood and obtain water, after the usual stock of those articles for the voyage of such fishing craft has been exhausted or destroyed.

"VII. Under existing Treaties, what rights of fishery are ceded to the citizens of the United States of America, and what reserved for the exclusive enjoyment of British subjects?"

To these questions the law officers of the Crown replied as follows:—

"1st Query.—In obedience to Your Lordship's commands, we have taken these papers into consideration, and have the honor to report, that we are of opinion, that the Treaty of 1783 was annulled by the war of 1812; and we are also of the opinion that the rights of fishery of the citizens of the United States must now be considered as defined and regulated by the Convention of 1818; and with respect to the general question 'if so, what right,' we can only refer to terms of the Convention, as explained and elucidated by the observations which will occur in answering the other specific queries."

"2nd and 3rd Queries.—Except within certain defined limits, to which the query put to us does not apply, we are of opin-

tion, that by the terms of the Convention, American citizens are excluded from any right of fishing within three miles of the coast of British America, and that the prescribed distance of three miles is to be measured from the headlands, or extreme points of land next the sea, or the cost, or of the entrance of bays, or indents of the coast, and consequently that no right exists, on the part of American citizens, to enter the bays of Nova Scotia, there to take fish, although the fishing, being within the bays, may be at a greater distance than three miles from the shore of the bay, as we are of opinion that the term 'headland' is used in the treaty to express the part of the land we have before mentioned, including the interiors of the bays and the indents of the coast.

"4th Query.—By the Convention of 1818 it is agreed that American citizens should have the liberty of fishing in the Gulf of St. Lawrence, and within certain defined limits, in common with British subjects; and such convention does not contain any words negativing the right to navigate the Passage or Strait of Canso, and, therefore, it may be conceded that such right of navigation is not taken away by that Convention; but we have now attentively considered the course of navigation to the gulf by Cape Breton, and likewise the capacity and situation of the Passage of Canso, and of the British possessions on either side, and we are of opinion that, independently of treaty, no foreign country has the right to use or navigate the Passage of Canso; and, attending to the terms of the Convention relating to the liberty of fishing to be enjoyed by the American citizens, we are also of opinion that that Convention did not, either expressly or by necessary implication, concede any such right of using or navigating the passage in question. We are also of opinion that casting bait to lure fish in the track of American vessel navigating the passage would constitute a fishing within the negative terms of the Convention.

"5th Query.—With reference to the claim of a right to land on the Magdalen Islands, and to fish from the shores thereof, it must be observed, that by the Convention the liberty of drying and curing fish (purposes which could only be accomplished by landing) in any of the unsettled bays, &c., of the southern part of Newfoundland, and of the coast of Labrador, is specifically provided for; but such liberty is distinctly negatived in any settled bays, &c., and it must therefore be inferred, that if the liberty of landing on the shores of the Magdalen Islands had been intended to be conceded, such an important concession would have been the subject of express stipulation, and would necessarily have been accompanied with a description of the inland extent of the shore, over which such liberty was to be exercised, and whether in settled or unsettled parts, but neither of these important particulars are provided for, even by implication, and that, among other considerations, leads us to the conclusion that American citizens have no right to land, or conduct the fishery, from the shores of the Magdalen Islands. The word "shores" does not appear to have been used in the Convention in any other than the general or ordinary sense of the word, and must be construed with reference to the liberty to be exercised upon it, and would, therefore, comprise the land covered with water, as far as could be available for the due enjoyment of the liberty granted.

"6th Query.—By the Convention the liberty of entering the bays and harbours of Nova Scotia for the purpose of purchasing wood and obtaining water is conceded in general terms, unrestricted by any condition expressed or implied, limiting the enjoyment to vessels duly provided with those articles at the commencement of their voyage; and we are of opinion that no such condition could be attached to the enjoyment of the liberty.

"7th Query.—The rights of fishing ceded to the citizens of the United States, and those reserved for the exclusive enjoyment of British subjects, depend altogether upon the Convention of 1818, the only existing treaty on this subject between the two countries, and the material points arising thereon have been specifically answered in our replies to the preceding queries."

After the Treaty of 1818 was concluded, it became necessary for the British Government to enact a law of the Imperial Parliament to enforce on the coasts of British America, respect to the provisions of that Treaty. Such a law was passed by the Parliament of Great Britain on the 14th of June, 1819, and has been in force

ever since that time. Under it the Treaty rights have been enforced, seizures of foreign vessels have been repeatedly made, and the same proceeded with to trial, and, in many cases, to condemnation.

The Parliament of Nova Scotia, in 1836, passed an Act, based upon the Imperial Act of 1819, which received the sanction of the Imperial Government, under which that Province provided the legal machinery for enforcing respect to their territorial jurisdiction of three miles from the coasts, bays and harbors of that Province; and subsequently, in 1840, adopted an amended law, which is still in force.

Under these laws, the first of which was in active operation for twenty-eight years, numerous seizures of American vessels were made for encroaching and violating Treaty rights, and our rights of exclusion were repeatedly enforced up to the period of the passage of the Reciprocity Treaty.

A similar law was passed both in New Brunswick and Prince Edward Island, and in 1868, after the formation of the Dominion, a law, almost the exact transcript of the Nova Scotia law, was passed by our Parliament for the "Regulating of Fishing by Foreign Vessels." After the Provinces were united, the Parliament of Canada passed a similar law to the Imperial Act of 1819 which had been in force for fifty years. The American fishermen, followed up the policy which they had ever pursued in relation to our fisheries; endeavored to quietly assume rights and encroach upon our fisheries where they could do so with impunity. From 1818 to 1841 seizures of American vessels were frequent. Thus matters stood in 1841, up to which period the British construction of the treaty of 1818, including their views of the headland lines was enforced and acquiesced in, though reluctantly, by Americans. For the first time, in 1852, the Americans set up their peculiar claim in relation to the construction of this treaty. DANIEL WEBSTER, however, on the 6th of July, 1852, recognizing the legal force of the British claims to the only point then in dispute, wrote as follows:—

"The British authorities insist that England has a right to draw a line from headland to headland, and to capture all American fishermen who may follow their pursuits inside of that line. It was undoubtedly on oversight in the Convention of 1818 to make so large a concession to England, since the United States had usually considered that those vast inlets or recesses of the ocean ought to be open to American fishermen as freely as the sea itself, to within three marine miles of the shore."

Notwithstanding this authority the Americans set up the claim that the Bay of Fundy was open to American fishermen. The question arose on the seizure of the schooner *Washington* while fishing in the Bay of Fundy, ten miles from land. HER MAJESTY'S Government, while denying the right, consented to leave the question in abeyance, at the same time referring this particular case to arbitration. It was decided that the Bay of Fundy being partially bounded by American territory at its mouth, was not, so far as the limits of that territory formed its bounds, a British bay. In July, 1853, when the question arose in reference to the rights of Americans to fish in the Bay of Fundy, Mr. RUSH, the only surviving American Commissioner who took part in making the treaty, gave his views in reference to it as follows:—

"They meant no more than that our fishermen, whilst fishing in the waters of the Bay of Fundy, should not go nearer than three miles to any of those small inner bays, creeks, or harbors, which are known to indent the coasts of Nova Scotia and New Brunswick."

It would thus be perceived that while Mr. RUSH coincided in the American view with regard to the right to fish in the Bay of Fundy, on the ground that it was an "arm of the sea," he clearly admitted their exclusion from the smaller bays, creeks and harbors, and practically disavowed the claim of a line three miles from the sinuosities of the coast put forward by Americans, and thus far sustained the British construction in all but the larger gulfs or bays, which he claimed to be "arms of the sea." He (Mr. MITCHELL) had given a *resumé* of the history of our rights in regard to these fisheries from 1785 to 1854, and the grounds upon which England claimed and enforced these rights. In 1854 the Reciprocity Treaty gave the Americans concurrent rights to fish on our coasts, and these continued until 1866, when the treaty terminated. When the United States Government gave the year's notice that it was to terminate, the then Provinces of Canada, Nova Scotia, and New Brunswick, with the approval of HER MAJESTY'S Government, sent delegates to Washington, in October, 1865, to endeavor, if pos-

sible to secure its continuance, or else to effect some other trade arrangements which would meet the approval of both countries. In this they were unsuccessful. The delegation held several conferences with the Committee of Ways and Means, and the record of their proceedings proves that there was really no desire evinced to renew commercial intercourse with the Provinces on any basis at all resembling the principles of reciprocal free trade. The efforts of our delegates proved fruitless, and they returned about the middle of November following. On the 20th of February, 1866, a Royal Proclamation was issued by the GOVERNOR GENERAL of Canada, notifying American fishermen and United States citizens of the termination, on the 17th day of the ensuing month, of the fishing privileges which they had enjoyed under the said treaty, and warning them of the legal penalties which they would incur by trespassing upon the in-shore fisheries of British America, belonging exclusively to HER MAJESTY'S subjects. HER MAJESTY'S Government felt disposed to allow the freedom of fishing that had prevailed since 1854 to continue for the season of 1866, on the distinct understanding that, unless some satisfactory arrangement between the two countries should be made in the course of the year, such privileges would cease, and all concessions made in the treaty, just about to expire, be liable to withdrawal. It was important that friendly relations should be maintained with the United States. The Americans had always been sensitive with regard to these fisheries. They claimed that as England through the aid of her American colonists had won them from the French, and as it was only by the treaty of 1818 that they were lost, should now be admitted to the use of them. The Canadian Government feared that it would be impossible to keep the 1,500 or 2,000 fishing vessels of the United States outside the limits if they were once allowed to come in and fish without control on our part. They would after a time claim the right by use to our fisheries. Notwithstanding the strong opinions entertained by the Canadian Government, they reluctantly acquiesced in the views of the Imperial authorities and adopted the temporary expedient of issuing season lincenses to United States fishing vessels at a nominal tonnage rate, so as formally to preserve the right of sovereignty without occasioning any serious complications. It commenced with a rate of fifty cents per ton and subsequently was increased to $2 per ton. The refusal of American fishermen to avail themselves of this privilege would be seen by the following statement, showing the number of licenses issued each year since 1866. In 1866 there were 354 licenses : in 1867, 281 ; in 1868, 56 ; in 1869, 25. For himself he always felt that while the licensing system might do very well as a temporary arrangement which would ensure a recognition of our rights, as a permanent system it was very unsatisfactory. The result was fully as much as he had anticipated. The licensing system having proved a failure it became necessary in 1868 to adopt a different policy, but at the request of the British Government the system was continued for another year in the hope of a removal of the Reciprocity Treaty. The year 1869, however, passed without any progress having been made in that direction. He might mention that in 1866 Lord CLARENDON then Foreign Minister, at the request of Mr. ADDERLEY, sent a despatch to the United States proposing that an arrangement should be made by which the fishery limits should be defined ; but to that despatch no answer was ever received. The licensing system having proved a complete failure the Government of Canada determined in 1870 to adopt a more decided policy. They abolished the licensing system and established a Marine Police Force which, aided as it was from the first by the British fleet, excluded the American fishermen from the three mile limit following the sinuosities of the coast, for the British Government requested that our right to three miles from a line drawn from headland to headland should be left in abeyance for subsequent settlement. The point he wished to impress upon the House was that all the rights which we enjoyed from 1818 to 1854 when they were suspended by the operation of the Reciprocity Treaty were restored to us by the abrogation of that treaty in 1866. Those rights were recognized by the American Government under the licensing system, and they were maintained by us up to the passage of the Washington Treaty. He held therefore that the Halifax Commission would have power to deal with the question of boundaries and to ascertain damages, and that it would be

unwise on our part to throw doubts upon our own rights by asking England to open negotiations with the United States in order to have these rights defined. What would be the answer of England? She would say that under the Washington Treaty, the Americans have the right to use our fisheries for eleven years, and that in the meantime the Halifax Commission would have full power to determine what damages should be paid to the United States (if any) for the use of our fisheries for eleven years. He was free to admit that outside of the question of damages no decision of those commissioners would bind the two nations, and after the expiration of eleven years any decision of theirs upon the question of boundary would not be binding. But, at the same time, for the purpose of ascertaining the amount of damages to be paid by the United States, the commissioners had full authority under the Treaty of Washington, because we enjoy the same rights now which had been enforced by England from 1818 to 1854. This question of the existence of our boundary limits was one which had been the subject of negotiation for many years. In 1866 Lord CLARENDON, in a despatch in reply to Mr. ADAMS, expressed the anxiety of the British Government to arrive at some friendly arrangement on this point, and in a despatch of 21st April, 1863, Sir EDWARD CARDWELL stated:—

"I recognize in this minute with much pleasure the moderation and forbearance shown by the Canadian Government.

"The suggestion that American fishermen should be allowed to fish during the current year in all Provincial waters, upon payment of a moderate license fee, meets with the full approval of HER MAJESTY'S Government, and I shall inform the Governors of the Lower Provinces that I trust they will readily concur in it.

"In anticipation of this result, Sir JAMES HOPE will be instructed to act upon it as soon as he shall have been informed that the arrangement is concluded."

In 1870 a Minute of Council was passed, abolishing the license system, and excluding American fishermen from the waters of Canada, and Mr. CAMPBELL was appointed to go to England to call the attention of the Imperial Government to this matter; and, in June of the same year, he was instructed to inform HER MAJESTY'S Government that the time had arrived when it was necessary to abolish the licensing system, and adopt some other means of more effectually protecting the Canadian fisheries.

In his report of the 10th September, 1870, Mr. CAMPBELL stated the result of his proceedings as follows:—

"I urged upon Lord KIMBERLY the great importance to Canada of the fisheries, which employed a large number of seamen, and had many collateral pursuits and industries dependent upon them. We possesed the whole of the herring and mackeral fisheries on the western side of the Atlantic, the Americans having no in-shore fisherics of any great value. This possession was of the first importance to us, and we felt exceedingly anxious that it should be maintained in accordance with treaty rights. Induced by a strong sense of the responsibility involved in the matter, and out of deference to Imperial views, we had proposed in 1865 the license system; we had given every possible opening in this direction at a sacrifice of our immediate interests in order that our affairs might not tend to endanger the peace of the Empire. This system had been continued to the present year, and we were satisfied that no advantageous results would be obtained from it.

"Lord KIMBERLEY admitted that the time had come when Canadians might reasonably expect that the state of things anterior to the Reciprocity Treaty should be reverted to, or that some other definite arrangements with the Americans on this subject should be arrived at. He added that he was glad that I had not mixed up the two questions of reciprocity and the fisheries, because he saw no reason to expect a renewal of that treaty; he agreed, he said, that the fisheries question should be treated by itself. I said that we in Canada had arrived at similar conclusions. The policy of conciliation had been fully tried, and we ceased to expect anything from the Americans from it. We thought the only course now open to us was to ask the Imperial Government to fall back upon the rights which we enjoyed and maintained anterior to the Reciprocity Treaty, and I was directed to request this at the hands of the Government."

Lord KIMBERLEY in his despatch of 10th Oct. 1870, stated:—

"The object of HER MAJESTY'S Government is, as you will observe, to give effect

to the wishes of your Government appointing a joint commission on which Great Britain, the United States and Canada are to be represented with the object of inquiring what ought to be the geographical limits of the exclusive fisheries of the British North American Colonies."

Mr. MILLS—Has that been done ?

Hon. Mr. MITCHELL said it had not been done because the Canadian Government would not accept an arrangement which implied by inference that there were any doubts as to the limits of the Canadian fisheries.

Hon. Mr. BLAKE—They did accept.

Hon. Mr. MITCHELL said they did not accept it. but they asked the British Government to adopt some means whereby our rights could be enforced. The results of Mr. CAMPBELL'S mission was the negotiations which led to the Washington Treaty.

Hon. Mr. BLAKE—Hear, hear !

Hon. Mr. MITCHELL said his hon. friend did not very much approve of the Washington Treaty, but he could tell him that while he (Mr. MITCHELL) did not think the treaty was all that the people of Canada would like it to be, it was not the fault of the Government of Canada. His views upon that subject were pretty well known and while he did not entirely agree with the conclusions arrived at, he believed that the Canadian Commissioner did the very best he could for Canada. That gentleman found that the interests of the Empire stood in his way, and that unfortunately matters of greater importance to the Imperial Government intervened in the negotiations, and the fishery question had to take a secondary place. It was to be regretted that we were placed in that position, but that was a matter which could not be helped. This question of the fisheries was of far more importance than many people imagined. The value of our fisheries was about fifteen millions a year, and the actual catch of our fishermen was supposed to be between six and seven million dollars. The fish taken by the Americans within our waters according to the best estimates amounted to about eight million dollars a year. He found in a able article in the St. John *Telegraph* the following statement of the value of the products of the sea fisheries for four years :—

Nova Scotia,	1870	$4,019,424
	1871	6,550,739
	1872	6,016,835
	1873	6,577,086
New Brunswick	1870	1,131,435
	1871	1,578,695
	1872	1,965,459
	1873	2,285,661
Quebec,	1870	1,161,551
	1871	1,092,612
	1872	1,320,189
	1873	1,391,564
P. E. Island,		
	1871	
	1772	137,746
	1873	207,505
Exports from Newfoundland		
	1871	8,154,206
	1872	6,971,115
Total value in the Dominion, including exports from Newfoundland and the Magdalen Islands,	1871	17,730,451
	1872	16,635,071

With reference to Ontario he was glad to notice the great success of Mr. WHITCHER and Mr. WILMOT in their efforts in establishing fish breeding establishments. He was informed that there would be three millions of young salmon taken out next spring from the fish-breeding establishments of Mr. WILMOT ; and Canada might well be proud of her position on this matter, as the United States were following our example. But, coming back to the question he wished to enforce, he would repeat that it would be useless for us to ask England to seek from the United States a definition of our fishery limits.

He assured his hon. friend that the course he intended to take must fail. If the Imperial authorities were asked to appoint another commission, and to open communication with the United States for the purpose of selling our fishery boundaries, the answer would be that our rights had been already established by use and practice of upwards of fifty years. They would tell us that the commission already appointed could go on and define what the damages would be, and if they could arrive at no agreement, it would at least be eleven years before this question of boundaries could be re-opened. He (Mr. MITCHELL) felt very certain that the British authorities would decline to again open up this question until the expiration of the period covered by the Treaty of

Washington. There was no reason in the world, in his opinion, why the commissioners could not define the amount of remuneration due to us for our fisheries under the Treaty of Washington, and while that arbitration was pending he could assure his hon. friend that the result of the course proposed would simply be to create national antagonisms without bringing any benefit to this country in the end. In conclusion he apologised to the House for having occupied so much of their time, but as the subject was so very important, he thought it due to the House and the country that he as one who had had something to do with the fisheries; one who had given to them no small amount of attention; one who had done his best to encourage and develop them, that he should put upon record what he believed to be a correct historical statement of the facts, which had led up to the present situation.

Hon. Mr. BLAKE said he had intended to make a few remarks on this motion, but the hon. gentleman's speech had been so long that if it had not exhausted the subject it had at least exhausted the House. The hon. gentleman had made lengthened references to the Treaty of Washington, which he admitted was not all that he expected or desired, but was nevertheless in the hon. gentleman's opinion very good. He (Mr. BLAKE) desired to point out something which to him appeared very material to the question of whether we were likely to arrive at any conclusion in regard to the compensation due to us by means of arbitration. The treaty provided in several distinct parts for the settlement by arbitration of several distinct questions. In regard to the Alabama question, which was provided for in the 2nd., article in the treaty it was expressly stated that all disputed points considered by the tribunal should be decided by a majority of the arbitrators. In like manner it was stipulated that questions to be determined under the 10th and 13th sections should be settled by a majority of the arbitrators, but in regard to the 23rd section, in which provision was made for the appointment of the Fishery Commissioners, it was not stated that the decision of the majority would be final. The result of that would be that the Americans would insist that a unanimous decision was required to a final settlement, and unless the Government of the United States and the Imperial authorities should previously agree to some arrangement, the American Commissioner would dissent from the opinion of the majority, and we might never arrive at a settlement.

Mr. BUNSTER was surprised to hear the hon. member for Northumberland defend the Treaty of Washington in which the existence of British Columbia had been entirely ignored. He complained that British Columbia was practically shut out of the San Francisco oil market, and the Hudson's Bay Company and other oil exporters had their profits greatly curtailed by the cost of transportation to the European market.

Mr. MILLS said it was not his intention when he introduced the resolution to enter into any historical discussion of the various treaties between Great Britain and the United States. It seemed to him that it would be moro proper to enter into such a discussion at a later stage when the House had all the papers before it. He was surprised when he heard the hon. member for Northumberland observe that it would be a highly imprudent proceeding on our part to ask that the limit line should be drawn while the question of compensation was under consideration. He was all the more surprised at this when he remembered that the hon. gentleman was a member of the Government which sent a Commissioner to England to invite the Imperial authorities to bring this matter before the Government of he United States with a view to its settlement. It was very extraordinary, if to ask this much would compromise our rights. The American Government had shown a disposition so to construe the treaty of 1818 as to exclude us from the very rights which the hon. gentleman said were established by usage and practice. The Government of which the hon. gentleman was a member issued licenses to American fishermen because of this difficulty, but the system proved a complete failure in one year. He had called the attention of the House to this subject on a former occasion, as on this occasion, with the object, when the papers were brought down, to submit a motion asking that the Imperial Government might take the initiative in a correspondence with the United States to finally dispose of this question. It was all the more necessary that this should be done

because it was quite clear that the parties who negotiated the Treaty of Washington had shown a disposition which he characterized as almost cowardly to let our rights go by default. Those rights, which were considered of great consequence by the Americans themselves, should not be disposed of in this indirect manner without our having an opportunity of securing a formal decision upon the convention of 1818. The hon. gentleman had discussed not only everything which was pertinent to the subject, but many things which were not at all connected with it. In fact, his speech reminded him (Mr. MILLS) very much of Knickerbocker's History of the World. If we were to receive any value for our fisheries we must first secure a fair construction of the convention of 1818, by which an understanding would be arrived at as to what our fishery rights really were. Then the commission appointed under the Washington Treaty would be in a position to go on with the inquiry with which they were charged, but until the fishery boundaries were defined he did not see how they could proceed with their labors in an intelligent way. It could not be held that we had abandoned our just pretensions because we asked to have our rights defined.

Hon. Mr. MACKENZIE said he did not propose to enter into any discussion on this matter. We were not in a position to discuss the question at present, nor yet were the Government in a position to bring down the papers. The arbitration had to be proceeded with, and was proceeding at present. All necessary steps had been taken by the Government, and although some of the papers might be laid on the table without any harm, they would lead to no result, and he, therefore, considered it was not advisable to bring any of them down in the meantime. With respect to the point that before any proper arbitration could be had as to the exclusive right of fishing in bays more than six miles wide at their mouths, he understood the hon. member for Northumberland to maintain that the point should not be even raised until the question of compensation was settled. He thought, on the contrary, it would be very desirable to know what rights we possessed before we were asked to determine upon the value of those rights. That was a proposition as logical as it was self-evident, and he was therefore surprised at the hon. member having raised the question. Whether that proposition would be recognized by both powers was quite another matter. By the terms of the Treaty of Washington he believed the settlement of the controversy had been made as difficult as possible, but the Government would endeavour to secure the greatest possible benefit to the country. He hoped his hon. friend, the mover of the motion, would withdraw it.

Motion withdrawn.

RAILWAY ACT AMENDMENT BILL.

On motion of Mr. OLIVER, the Bill to amend the General Railway Act was read the second time, and referred to the Committee on Railways, Canals and Telegraphs.

TRADE MARKS.

On motion of Mr. BERNIER, the Bill to amend the act respecting Trade Marks and Industrial Designs, was read a second time and referred to the Committee on Banking and Commerce.

Items 93 and 94 were passed without discussion.

On item 95, $364,000 on penitentiaries,

Hon. Mr. MACKENZIE referring to an amount of $100,000 for a general penitentiary for the Maritime Provinces, said there was at present no penitentiary upon Prince Edward Island, and the prisoners sentenced to a long term of penal servitude had to be taken to the penitentiary in Nova Scotia. The penitentiary at St. John was practically useless as such, and besides the Dominion had only temporary possession of it. It was thought desirable to have one central prison or penitentiary to which prisoners from the three Provinces might be sent. The Government asked the appropriation to be made without having decided precisely as to the spot on which the building would be erected, but it was proposed to place it somewhere between Truro and Moncton, which it was thought would be a convenient position. No time, he thought, should be lost in proceeding with the erection of the buildings, and therefore the vote was asked without their location being exactly determined.

Hon. Mr. MITCHELL concurred in the desirability of erecting a general penitentiary for the Maritime Provinces.

Hon. Mr. MACKENZIE further explained, in reference to the item for penitentiaries, that the Government had decided to place the whole architectural management, in respect to these institutions, under the care of the Public Works Department. The $119,000 for Manitoba, and $100,000 for British Columbia, were asked to carry out contracts under progress for the erection of penitentiaries in those provinces ; and $20,000 were asked for such additions and repairs to penitentiaries as might be found necessary.

The item was passed.

On item 96, $230,500 for rents, repairs, &c.,

Mr. YOUNG asked for explanations in respect to the proposed appropriation of $170,000 for rents, repairs, furniture and heating. &c., which he thought was a large sum to be required.

Hon. Mr. MACKENZIE said the item included the entire expenditure for heating the public buildings, and for rents, repairs and similar matters. A very large proportion of last year's vote was expended in finishing the attics of the Departmental Buildings, running up brick fire-proof partition walls to the roof, and completing the whole of the unfinished part of the buildings. For heating there was expended in 1873, $38,-894 ; in 1874, $39,390 ; and the appropriation asked for next year was $40,000. $3,500 were asked for removing snow. The expenditure during the past year was very much less than that, but that was an exceptional year. For supplying gas to the public buildings $12,000 were asked. Under this item, too, a great many repairs and additions to public buildings, custom houses, post offices, &c., throughout the Dominion, were included.

The item was passed.

On item 97, $387,500, for Harbors and Break-waters,

Mr. WOOD inquired if the House proposed to expend $24,000 on the Kingston Harbor Works, which he thought were of a local character.

Hon. Mr. MACKENZIE said it did not constitute a local work. The amount placed in the estimates was for the removal of a rocky shore at the entrance of the harbor, where it was absolutely necessary to have the entrance for vessels coming in from the lakes, and where 12 feet of water were required for canal purposes. Last year's survey was very imperfect, for it was then considered that a very small amount would be required to remove the shore. This, however, proved to be a mistake, as the depth of water had been under-estimated, and the expenditure of the amount obtained had only resulted in the removal of a small portion of the shore. $24,000 added to the $6,000 represented the total cost of removing the shore, whereby a depth of 13 feet of water would be obtained. The Government proposed during the coming year to remove a portion of the rock from the shore at a cost of $6,000, and it would afterwards be a question for consideration whether the balance should be expended or not. With respect to Cobourg harbor, that was simply a re-vote. The work was placed under contract one year ago, and the contractors failing to carry out the arrangements made, the work was re-let to other contractors. The town of Cobourg paid one-third of the entire amount expended in building the break-water for the protection of the harbor. In regard to the proposed vote for Port Hope, the work was also under contract. The vote of $7,000 for Port Stanley harbor was first taken two years ago, and an arrangement was made by the late Minister of Public Works with the Railway Company to have that sum expended by it in improving the condition of the harbor. The Government now proposed to have the money expended under the direction of the Public Works Department. Bayfield Harbor was also under contract, the Township of Bayfield paying $10,000 of the amount, which sum had already been paid in to the Government. The sum of $12,000 for Kincardine Harbor was to continue the work which had been carried on in that harbor—the most important, next to Goderich, on Lake Huron, and one at which a very large number of vessels sought trade and shelter. A large proportion of the amount would be necessary for dredging work, as the depth of water was entirely insufficient for the class of vessels which now visited the port. The Government owned a dredge which was at present engaged in the Sydenham River, and as soon as it had completed its work it would be taken down to Kincardine. At Owen Sound the local authorities had contributed an amount for the purpose of carrying on the dredging at

the entrance to that harbor so as to enable access to be had by vessels in all weather. Port Darlington was a harbor owned by a private company who had expended $78,000 upon the work. It was at present filling up so as to make it impossible for vessels to enter it which drew more than 9 feet of water. Port Burwell was also a harbor owned by a company whose trade had fallen off very materially recently, it being a large lumber exporting locality. A considerable amount had been expended by the company on the harbor, and all the revenue that could be collected for harbor purposes had proved to be entirely insufficient. The engineer of the Public Works Department had reported that to preserve the harbor for the purpose of shelter it was necessary for this appropriation to be made. Chantry Island harbor and Goderich harbor on Lake Huron were simply appropriations to carry out works entered into three years ago.

Mr. WILKES hoped the Government would be able to place an amount in the supplementary estimates with the object of carrying out the experimentary works in Toronto harbor.

Hon. Mr. MACKENZIE said he was not prepared at that moment to state what would be done in regard to that question. After the conversation in the House a few evenings ago the Chief Engineer of the Public Works Department received instructions to again consider the position of the entrance to the Toronto harbor, with a view to ascertain if it was possible to carry out some experimental work in order to determine the proper mode of protecting the entrance and securing free access to that harbor. He hoped to be able in a few days to ascertain precisely what could be done in regard thereto.

The item was passed.

Item 98, for harbors and break-waters in Quebec, was carried without discussion.

On item 99, $183,000, for harbors and break-waters in New Brunswick,

Hon. Mr. MACKENZIE said that Dipper Harbor was situated some distance from St. John. There was no particular trade at the place, but it was a point where a harbor of refuge was required. Unfortunately, during some heavy storms of last year, the works were almost destroyed. He had not at that moment accurate information with regard to the present position of the work, but the appropriation taken would be sufficient to renew the whole structure if it had been washed away. The work at Pointe du Chêne was in connection with the railway, and was absolutely necessary. For Richibucto Harbour the vote asked was to carry out the present contract. The amount for Shippegan Breakwater was a re-vote. For St. John Harbor the vote taken was simply a continuation of the vote proposed last year for the construction of the break-water between Partridge Island and the main land.

The vote was passed.

On item 100, $151,500, Harbors and Break-waters in Nova Scotia,

Hon. Mr. MACKENZIE said that the amounts for Jordan Bay, Oats Point, and Pictou Landing were re-votes. $50,000 would be required to repair the break-water at Cow Bay, which had been seriously injured by storms. That harbor was owned by the Messrs. ARCHIBALD & Co., colliery proprietors, who obtained an annual vote of $14,000 from the Nova Scotia Government. They had expended $86,000 on the break-water previous to last year, and $3,500 last year. The value of the work erected by themselves, exclusive of the amount given by the Province of Nova Scotia, had been estimated by the engineer of the Public Works Department at $25,000, and the Government proposed under the authority of the Act passed last session to purchase that harbor from Messrs. ARCHIBALD & Co., paying them $25,000 therefor; and they propose to expend $50,000 upon it, in order to put it in thorough repair; and they would levy a tax on all vessels entering the harbor either for trading purposes or for shelter.

The item was passed as were also items 101 to 104 inclusive.

On item 105 dredging $110,500.

Mr. KILLAM inquired when they might expect to have the dredge at Yarmouth. They expected the dredge "Canada" there this winter, but it was frozen up at Pictou and was unable to proceed further. If it had reached the harbor it could have worked two or three months this winter when it would have been impossible for it to do anything in any other harbor. It was important that the work needing to be done at Yarmouth should be done as soon as possible.

Hon. Mr. MACKENZIE said the dredge would soon finish its work at Bathurst and would then proceed to Lunnenburg, and do a little work ; thence to Yarmouth.

Mr. BUNSTER called the attention of the Minister of Public Works to the necessity of some improvements being made at the harbor of Nanaimo and other harbors in British Columbia.

Mr. McKAY (Colchester) inquired whether any dredging was to be done at Yatamagouche.

Hon. Mr. MACKENZIE said that the dredges were now all fully employed and the chief engineer in charge of those works endeavored to carry on dredging operations at the places of the greatest commercial importance.

The item was passed as also items 106 to 108 inclusive, and items 154 to 156 inclusive relating to treaties with the Indians in the North-West—also items 168 to 179.

The Committee then rose, reported progress, and asked leave to sit again.

On motion of the Hon. Mr. MACKENZIE the House adjourned at 11.40 p. m.

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HOUSE OF COMMONS,

Thursday, 4th March, 1875.

The SPEAKER took the chair at three P.M.

BILLS INTRODUCED.

The following Bills were introduced and read the first time :—

Hon. Mr. SMITH—To amend the Immigration Act of 1872.

Mr. BLAIN—To incorporate the Dominion Railway Equipment Co.

CULLING AND MEASURING TIMBER.

Hon. Mr. GEOFERION moved that on Tuesday next the House do go into Committee of Whole to consider Resolution amending the Act, Chap. 46, of the consolidated statutes of the late Province of Canada, entituled, "An Act respecting the culling and measuring of lumber."—Carried.

APPOINTMENT OF HARBOR MASTERS.

Hon. Mr. SMITH moved that the House do go into Committee of the Whole to-morrow to consider resolutions for the purpose of amending the Act 37 Victoria, Cap. 34, providing for the appointment of harbor masters at certain ports.—Carried.

INTRODUCTION OF MR. GLOBENSKY.

Mr. GLOBENSKY, the member elect for Two Mountains, having been introduced,

Hon. Mr. MACKENZIE moved : That in admitting G. A. M. GLOBENSKY, Esq., elected to represent the electoral district of Two Mountains, to take his seat on the production of the duplicate indenture only, and without the return of the indenture to the Clerk of the Crown in Chancery and the certificate of the latter officer, the House still recommends a strict adherence to the practice of requiring the production of the usual certificate.—Carried.

THE POSTAL SERVICE.

Hon. D. A. MACDONALD moved that the House go into Committee of the Whole to consider the following resolutions :—

1. That it is expedient to amend the Act 31 Vic., Cap., 10, for the regulation of the Postal Service.

2. That it is expedient to make the following amendments to the several sections of the said Act, relating to the rates and mode of payment of postage ; that is to say : 1. The 19th section shall be so amended as to read as follows :—

"19. On all letters transmitted by post for any distance within Canada, except in cases herein otherwise specially provided for, there shall be charged and paid one uniform rate of *three cents* per half-ounce weight, any fraction of a half-ounce being chargeable as a half-ounce ; *and such postage stamp or stamps at the time of posting the letter, otherwise such letter shall not be forwarded by post, except that letters addressed to any place in Canada on which one full rate of three cents has been so prepaid, shall be forwarded to their destination charged with double the amount of postage thereon not prepaid, which shall be collected on delivery.*"

2. The 20th section shall be so amended as to read as follows :—

20. On letters not transmitted through the mails, but posted and delivered at the same Post Office commonly known as local or drop letters, the rate shall be one cent per half-ounce in weight, to be in all cases prepaid by postage stamps affixed to such letters.

3. The 22nd, 23rd, 24th and 25th sections shall be repealed and the following sections substituted for them :—

"22. The rate of postage on newspapers and periodical publication printed and published in Canada, and issued not less frequently than once a month from a known office of publication or news agency, and addressed and posted by and from the same to regular subscribers or news agents, shall be one cent for each pound weight or any fraction of a pound weight, to

be prepaid by postage stamps or otherwise as the Postmaster General may from time to time direct: and such newspapers and periodicals shall be put up into packages and delivered into the post office, and the postage rate thereon prepaid by the sender thereof, under such regulations as the Postmaster General may from time to time direct."

"23. Newspapers and periodicals weighing less than one ounce each may be posted singly at a postage rate of half a cent each, which must be in all cases prepaid by postage stamp affixed to each."

4. The 26th section shall be so amended as to read as follows:—

"26. On all newspapers and periodicals posted in Canada, except in the cases hereinbefore expressly provided for, and on books, pamphlets, occasional publications, printed circulars, prices current, hand-bills, book and newspaper manuscripts, printers' proof-sheets, whether corrected or not; maps, prints, drawings, engravings, lithographs, photographs, when not on glass or in cases containing glass, sheet music, whether printed or written; documents, wholly or partly printed or written, such as deeds, insurance policies, militia and school returns, or other documents of like nature; packages of seeds, cuttings, bulbous roots, scions or grafts, patterns, or samples of goods or merchandize, the rate of postage shall be one cent for each four ounces or fraction of four ounces."

"Provided that no letter or other communication intended to serve the purpose of a letter be sent or inclosed in any such newspaper or other package or thing mentioned in this or the next preceding section, and that the same be sent in covers open at the ends or sides, or otherwise so put up as to admit of inspection by the officers of the Post Office to ensure compliance with this provision, and the postage rate shall be prepaid by postage stamp or stamped post bands or wrappers, in all cases when any such articles as are mentioned in this section are posted in Canada."

5. The 29th section shall be amended by adding at the end thereof the following provisions:—

"And when any letter or other mailable matter is posted in Canada without prepayment, or insufficiently prepaid, in any case in which prepayment is by this Act made obligatory, the Postmaster General may detain the same, and return it, when practicable to the sender."

6. The 40th section shall be amended by substituting "three cents" for "five cents," as the additional postage to be charged on dead letters to defray the costs of returning the same.

7. The 44th section shall be amended by striking out the provision that the expense of carrying United States mails over any portion of Canada, shall be paid by the United States.

3. That it is expedient that the said amendments and such other of the amendments proposed in the Bill, No. 11, now before this House, as may be adopted by it, be incorporated with the said Act, 31 Vict., cap. 10, so as to consolidate the Statute Law regulating the Postal Service.

Hon. D. A. Macdonald.

Mr. BOWELL said he regretted that the Postmaster General had not seen his way clear to adopt more of the suggestions thrown out in the course of the debate on the Postal Bill than he had done. However, the hon. gentleman had amended his Bill in one important particular, namely; in allowing letters with insufficient postage stamps to go to its place of destination and then charging the receiver an additional three cents. That was an important improvement upon the original Bill. He regretted that it was determined to insist upon prepayment of letters in all cases, as he was satisfied that the operation of that provision, particularly in the rural districts, would cause a great deal of trouble and annoyance. Taking the Bill as a whole, it seemed to him to have been carefully and studiously prepared in the interest of the Post Office Department rather than in the interest of the people of the country. In other words, the object of the Bill was to save the department from a great deal of trouble and annoyance which they contended arose under the provisions of the existing law. He was quite convinced that the Postmaster General could not have considered the question of newspaper postage as closely as he should have done, or he would not have proposed to place such a serious tax upon publishers throughout the whole Dominion. It was all very well to say that it would not come out of their pockets but out of their subscribers' pockets. Any one who had any experience of the business would know that the very smallness of the tax would preclude the possibility of adding the amount to the subscription price.

Hon. Mr. MACKENZIE—They can add more than the amount.

Mr. BOWELL thought the Premier, from his experience in doing the hard work of a country newspaper, ought to know better. The Act coming into force at once, and newspapers having a large circulation, the tax must necessarily fall upon the publishers. The Postmaster General has stated, as would be seen in the *Hansard*, that eight copies of the *Globe* would weigh a pound. This would give sixty pounds to the ream, and if the circulation of the *Globe* was as large as it was said to be, some 10,000 a day, it would impose a tax of $3,912 on the publishers of that newspaper. But the Postmaster

General also stated in his speech, as reported in *Hansard*, that large numbers of newspapers were now sent by express. That was true, and it was done to save to subscribers the postage which was at present imposed on newspapers. The Postmaster General claimed that this small impost, which would fall on the publishers, would soon put an end to the sending of newspapers by express. He (Mr. BOWELL) predicted that the result would be entirely different. If this Bill were passed, publishers, not only of city, but also of country newspapers—that is, small towns—would of necessity make arrangements with stage drivers to carry their papers to the different villages. The Postmaster General had overlooked another fact. When he stated that eight copies of the *Globe* weighed a pound he no doubt weighed them dry. Those acquainted with the business knew that it was necessary to wet paper before printing it, thus increasing its weight at least ten per cent. The lighter the paper the less water it absorbed, the heavier the paper the more was required. With this ten per cent. increase in weight it was sent to the post, and the publisher was obliged to pay for that much water. What he objected to, and he objected to it strenuously, was that this Bill imposed a tax on a certain class of people, which could not be distributed as the Postmaster General supposed it could. There was scarcely a country newspaper in Ontario that would not be taxed to the extent of $150 or $200 a year. The hon. member for Bothwell had contended that the Department had no more right to carry newspapers free than any other common carriers. In the main that might be correct, but he had yet to learn that the Post Office Department had to pay any more for carrying newspapers on which postage was charged than for carrying them free of postage. The contracts for carrying the mails would be the same in either case. If newspapers should not be carried free, on what principle was free delivery to be established? It would cost $45,000 to deliver letters free in certain large cities. Now if it were wrong in principle to carry newspapers free, was it not equally wrong to deliver letters free? Besides, why should certain large cities have free delivery while residents of cities of seven, eight, nine or ten thousand inhabitants must go the to post office for their letters? If the system was to be adopted it should be extended to all cities towns and villages. In the town in which he resided the post office was a mile distant from some points, and a working man returning from work at six o'clock, could not reach the office before it was closed, and was therefore obliged either to spend time at mid-day to call for a letter or send a messenger for it. But the point to which he wished especially to call the attention of the House was this, that the Government were about to expend from $40,000 to $50,000 to secure free delivery of letters in certain cities, while at the same time they proposed to impose on the publishers of newspapers a burdensome tax in order that the Post Office Department at Ottawa should not be troubled with the accounts which they received from time to time. There were provisions in the law on which he proposed to offer some remarks when the Bill was under discussion, but as only the resolutions were now before the House he would confine himself to that particular point, and he hoped in the interests of the whole Dominion that the hon. Postmaster General would see his way clear, if not to adopt the policy of abolishing newspaper postage altogether, he would so amend the resolutions as not to impose that heavy tax on publishers throughout the country. He entertained however, very little hope that the hon. Postmaster General would concede that point, from the fact that it had been a pet scheme in the Post Office Department for a number of years; this was not the first time on which the attempt had been made to impose the tax, but the Government, knowing they had a very large following in the House at the present moment, thought this was the most opportune time to carry into effect the scheme. He had failed to find a single newspaper in Canada that had approved of the proposed scheme. No doubt the hon. gentlemen on the Treasury benches would say, "It is not likely journals will approve of a scheme which will impose a tax and burden upon themselves;" but the hon. Postmaster General, having those facts before him, should carefully consider whether it was right that the proposed tax should be imposed.

Hon. Mr. MACKENZIE said the hon.

member for North Hastings had spoken of the scheme as one imposing a tax on the circulation of newspapers.

Mr. BOWELL—No.

Hon. Mr. MACKENZIE said that a country weekly newspaper, having a circulation of one thousand copies, paid two hundred dollars a year for postage, being at the rate of twenty cents per number, while under the proposed scheme it would pay only $45 per annum, being a reduction to the extent of three-fourths of the present postage upon newspapers. But what the hon. member really meant to object to was the payment of postage to subscribers by the publishers.

Mr. BOWELL said he had not complained that the Government imposed a tax on the circulation of newspapers; what he did complain of was that the scheme removed the payment of postage from subscribers, and placed it on publishers.

Hon. Mr. MACKENZIE said the hon. member had, however, spoken of the Government proposal as one which imposed an additional tax on newspapers, whereas it was really one which reduced the cost of postage by three-fourths. It was necessary in order to effect the reduction that the publishers of papers should be called upon to prepay the postage, for it would be very difficult to collect five cents per annum from each subscriber to a weekly journal. The amount would be five cents, supposing ten copies weighed one pound, but twelve, thirteen and even fifteen copies of some papers were required to weigh a pound, so that the tax was very trifling. In regard to the assertion that the scheme would entail a loss on country newspapers of from $150 to $200 a year, he did not believe there were three journals outside of the cities which had a circulation of 4,000 copies. If it was impossible for publishers to obtain a higher price for their journals from subscribers, it must be simply because the publishers had resolved at all hazards to send their papers at a fixed price, for they could fix the charge at what they pleased, and when a reduction was made in the charge for postage, which under the new law would be prepaid by the publisher, subscribers would never object to paying a small increased price for their papers. The cost of mailing the *Daily* and *Weekly Globe* was estimated to cost the publishers $10,000 a year, and yet the hon member for Hastings proposed that the Post Office Department should carry the enormous mass of papers represented by that payment without charge. The Government had placed the postage at the lowest possible figure, and to mail free the papers published in the various parts of the Dominion would be to impose too heavy a burden upon the public treasury. With respect to the free delivery of letters in cities, the Government were only carrying gradually into operation the law at present existing, and the "drop" letters which were being sent in enormous numbers would go far towards paying the cost of free delivery. The time would come when the free delivery system would be extended to other places besides the large cities, and when that time arrived the Government would consider how far it should be extended, and no doubt the system would be extended just so far as the necessities of the localities called for its extension with a fair prospect of receiving some remuneration therefor.

Hon. Mr. TUPPER said he fully concurred in both propositions laid down by the hon First Minister. First, that postage could scarcely be regarded as a tax because it was a charge for services rendered by the Government; and second, that it could not be regarded as the imposition of a tax, if it were held to be a tax, because it was a reduction instead of an increase. But the Government having gone so far in the direction of reduced rates of postage, they should have gone a step further and removed postage from newspapers altogether. He hoped the hon. Postmaster General would reconsider the subject with a view to removing the newspaper postage from which, under the new law, a very small revenue would be received by the department. The great objection to the proposed change in the postal regulations was, that the large reduction it made would be most beneficial to those who were best able to do without it. The change of altering the charge for the carriage of newspapers to a certain amount per lb. had this effect—it favored those who published daily and had a large circulation through the country.

Hon. Mr. MACKENZIE said that publishers of daily newspapers sent by express.

Hon. Mr. TUPPER contended that notwithstanding this, the benefit would be

largely in favor of extensive publishers. It was, of course, important, that those larger organs should circulate as widely as possible ; but he thought there should be some benefit, as far as possible, extended to smaller organs which had a more limited circulation ; were almost exclusively sent singly, and would, therefore, be subjected to a much higher rate of charge.

Hon. Mr. MACKENZIE—They were all sent for the same charge.

Hon. Mr. TUPPER said it was not so much the amount charged as its vexatious character that he complained of. He was satisfied that the small amount the Government proposed to obtain from this surce would be wisely surrendered, in consideration of the immense convenience and satisfaction it would give the people of the country. There was another point in this connection to which he desired to call the attention of the Postmaster General. That was the charge on periodicals. There was no country in the world were it was more desirable that the periodical press should be fostered than in Canada. The difficulty in the way of sustaining that class of literature was very great. It had not the same general or party objects in view as the newspaper press, and publishers of periodicals were obliged, therefore, to depend upon the kind of effort they made, or publish at a loss. He thought if the hon. gentleman would take these things into consideration he would feel that he might relatively reduce the charge proposed upon periodicals, which he thought, in the interests of the country, should be encouraged. There was another feature of the measure—excellent, on the whole, as that measure was—to which he thought great objection would be taken in the country, and, he was afraid, would be productive of great loss and misery in many cases. He saw no pressing necessity for it, and he hoped it would be abandoned. What he referred to was the prepayment of letters.

Hon. D. A. MACDONALD—I had anticipated my hon. friend's wishes in that respect.

Hon. Mr. TUPPER said he was very glad, indeed, to hear it. All that he had intended to ask was that a letter should go forward, whether pre-paid or otherwise, and seeing that measures had been taken to secure that end, he had not another word to say.

Mr. YOUNG said he had intended to defer any remarks upon this Bill until the House went into Committee of the Whole, and had reached the resolution referring to this matter. However, the hon., the First Minister had stated that he did not see how any one could object to the reduction made, and he (Mr. YOUNG) was prepared to show where and how the objection was taken. The press did not object to the reduction. He (Mr. YOUNG) stated distinctly that he gave credit to the Government for the reduction they had made up to a certain point, but the very fact that they had thrown off the postal charge, except a small amount, was, in his opinion, a very good reason why it should be abolished altogether. As he had stated, the press did not object to the reduction ; what they did object to was, the arrangement in this Bill which made pre-payment absolutely necessary—an arragement by which the postage was virtually placed upon the heads of the publishers. There could not be the slightest doubt that the country publishers would have to pay this postal charge out of their own pockets. Undoubtedly the press of the country were themselves best able to understand whether it would be to their interest or not to have this clause of the measure carried through or otherwise, and it was remarkable that not a single country newspaper, or, at any rate, scarcely a country newspaper, but had taken ground against the pre-payment of postage being made compulsory. He had one or two telegrams in his possession on this subject ; one of them from the President of the Press Association, stating that a petition was on its way to Ottawa, asking that the Government should forego this portion of their measure. He was aware that this charge could not be regarded in the light of a tax, but that was not really the question before the House. The Government had decided to throw off a large proportion of the amount received from postage on newspapers, and the question before the House was not really whether a newspaper ought to pay postage or not, but whether the Government, having abolished the existing postage, except to the small amount of about $10,000, it was a proper thing to make pre-payment compulsory, thereby saddling the publishers with this amount of expense. He held that having gone so far

the Government should have gone further, and he did not think it just that the whole of an amount like this should fall upon any particular class of the community. It was claimed that a very large amount of additional matter would be carried through the mails, provided that postage were reduced as proposed. He was not very sure that that would be the case. He was not very sure either if the present scheme were put into force that the newspapers, which send their publications by express at present, would use the mail to any greater extent, for the reason that the postal rate would probably be as high as the express rate (for he did not think that the express rate was more than 12½ cents per 100 lbs.), whereas if sent by post they would have to wait for half an hour or an hour at every post office along the line of railway before they could be delivered, and on the other hand, the express companies would deliver them at once. The total revenue which would be derived from this source would be a mere trifle. He did not think it would exceed $15,000 or $20,000. He took the ground that the proposed regulations would be injurious to the country press, and to some extent beneficial to the city publishers, who sent most of their daily issues by express. It was well known that at present they paid a considerable amount by way of commission to news-dealers, which would be saved by sending their papers through the mail at the reduced postage. The compulsory pre-payment of newspaper postage would compel newspaper publishers in the country to pay from $40, to $60, $80 and $100, and in a few cases $200 a year, which amount would come out of their own pockets, as any one acquainted with the business knew it was impracticable to increase the subscription price of the newspapers so as to cover that amount. The result would be that while city publishers and the public generally were to derive benefit from the reduced postage, this remaining charge left upon newspapers would fall exclusively upon one class, instead of upon the readers of the newspapers. If it was right that the publishers should pay the newspaper postage why was it reduced at all? Evidently the Government felt that in removing this charge from the readers of newspapers to the publishers, they could only do so by reducing the amount, thereby indirectly recognizing the injustice of imposing the charge exclusively upon one particular class. Twenty or twenty-five cents a year on each newspaper was not much to the public, but an additional charge of $100 to $150 without any corresponding benefits, was a good deal to most of country publishers. It should be remembered that the Government possessed a monopoly in the carrying of the mail, and therefore there was all the more reason why they should be careful not to impose any charge that would fall exclusively, and therefore unfairly, upon one class. It was clear at any rate that it would be absolutely unjust to bring this provision of the Bill into force at once. Publishers had already made their contracts with their subscribers for this year, and if they were now called on to pre-pay the postage they would incur a considerable loss; and besides, in a good many cases the subscribers themselves had paid the postage for this year. The whole amount that would be received from newspaper postage was so small that it was not worth while to retain it, when it was shown that it would all have to come out of the pockets of only one class of the people. Another result of the Bill would be that a premium would be offered to publishers to use inferior paper, because the lighter the paper the less would be the postage, and this would tend to the production of an inferior class of newspapers. He believed that the people of this country would gladly make up in some other way the small sum of $15,000 or $20,000, which this postage would produce, and he hoped the Government would yield to the very general feeling there was in the House and the country, and abolish newspaper postage altogether.

Hon. Mr. MACKENZIE asked who would benefit by the reduction of newspaper postage from 20 cents to 5 cents.

Mr. YOUNG said that no doubt the readers of newspapers, who were the parties who should pay the postage, if there was to be any, would be benefitted in the first place by the reduction; but whatever they paid at the Post Office, would have to be paid to keep up the Post Office Department, so that there was no real saving to them, whilst the publishers would be injured, because the charge, though reduced, would fall exclusively upon them. The proposal before them would tend to depreciate the Press, whereas

the total abolition of postage upon them would help to elevate and improve them, and thus tend to increase the intelligence and morality of the people.

Mr. OLIVER expressed his gratification that the Postmaster General had agreed to consolidate all the postal laws into one Act, but he regretted that the postage on newspapers was retained. It had been stated that the abolition of this postage would reduce the revenue of the Post Office Department; but if it was right to reduce the revenue by providing for the free delivery of letters in cities, and the free transport of the public documents of the various Provinces, why should not the press of the country receive a like benefit? It was stated by the Postmaster General that the free delivery of letters in cities would cause a loss to the revenue of $45,000, but he (Mr. OLIVER) from the best information he could gather, calculated it would be considerably more. The loss that would be occasioned by allowing the public documents of the Provinces to go free would be about $20,000; the two losses amounting to over $65,000, while all that would be derived from newspaper postage would be at the utmost only $25,000. Now, if the people of the cities were to have their letters delivered free, why should not the Government as a set-off grant to the press the abolition of newspaper postage. It was stated by the leader of the Government that the postage on drop letters in cities would pay free for the delivery, but that postage was part of the general Post Office revenue, and should therefore be used for the benefit of the whole country. It was also stated that the amount of postage on newspapers was small, but when it was placed exclusively on one class it was large enough to be oppressive. They had a paper in his own town, Woodstock, that had a circulation of 3,500, and the amount the publisher of that paper would have to pay under the proposed regulations would be $175 a year. It was useless to say that the publisheas could increase their subscription price, because any one that was acquainted with the business knew that that could not be done without causing areduction in the circulation. He trusted it was not yet too late for the Postmaster General to amend his Bill in the direction he had indicated.

Hon. D. A. MACDONALD said the hon. member for North Hastings and the hon. member for South Waterloo had attacked the free delivery of letters in cities to aid their arguments against imposing a small tax upon newspapers. He would dispose of the objections to the free delivery system, by reading the House the result of it in Montreal since its adoption on November 14th. The number of drop letters in the first week was only 4,961, the next week 6,000, the next 8,000, and it continued to increase until, as shown by the last return received by the Department, it reached 16,365 for one week. He made this statement to show that before he consented to introduce the free delivery in large cities he studied it carefully with his able assistants. They came to the conclusion, from information they had, that the day was not far distant when the free delivery in cities would be self sustaining. He was now in a position to state that it had exceeded their most sanguine expectations, and that he believed at the end of the first year the local postage that they would get through the delivery of letters would about pay the whole expenses of free delivery. With regard to the objection that it was not extended to towns as well as cities, he reminded the House that in the United States there was no free delivery in cities with a population smaller than 20,000.

Mr. BOWELL—What do they do in England?

Hon. D. A. MACDONALD said it would take many a year before we could become as perfect as England. He was following the example of England in the management of the Post Office as rapidly as he could. The improvement in the postal service was a step in that direction. He had taken a less population for free delivery in this country than they had in the United States. It would be extended to London and Kingston each of which had a population less than twenty thousand. The system would be put in operation as rapidly possible. It was hardly fair to attack the system while it was yet in its infancy. The experience of England and the United States was sufficient justification for its adoption in Canada. With regard to the newspaper postage, he thought when a reduction was made from a yearly

charge of 20 cents per paper, or 4½ cents per pound, to one cent per pound. the Government were conferring a boon on the country. The publishers would pay a trifling sum for handling such a large mass of newspapers and making it much easier to handle them, and he was satisfied that before a year or two publishers would find the circulation of their newspapers so largely increased by the removal of this postage that their gain would more than counterbalance the loss. The whole country complained of the nuisance of newspaper postage. The department must have something for handling the newspapers. To meet the objection that the Bill was coming into operation too soon, it was proposed to extend the time to six months hence. In the United States that much time was not given. Prepayment was made compulsory on the 1st January on all mailable matter. No later than last night he received a communication from the Postmaster of New York, stating that: "The circulation of publicaions has increased considerably, owing to the change in the postage rate, and particularly the manner of prepayment, and the publishers are well satisfied throughout. The service is giving most abundant satisfaction, the detail and annoyance inseparable from the old plan being entirely avoided." That was from the Postmaster of the State of New York. He (Mr. MACDONALD) had another communication saying that there was a great increase in mailable matter, although the new system had only commenced on the 1st of January. With reference to under-paid letters, they would not be returned to the parties sending them. It did not seem to be generally understood how newspapers were to be mailed. It was proposed that all papers should go by weight. The half cent postage only referred to transient newspapers, or those not sent from the office of publication. It made no difference whether a publisher mailed say fifty copies to one post office or to fifty different post offices. They would in either case be put into the scales and the postage charged by the pound. Under the convention with the United States, the Department was not prepared to forward letters unless they were fully paid. Letters over weight and insufficiently prepaid would be returned to the sender. In the convention with the United States, they would not undertake to collect anything for us, and consequently we would not undertake to collect anything for them. It would be well, therefore, that the public should know that all communications with the United States must be prepaid, with other foreign countries, with which we have no convention or understanding of that kind, the system would be the same as now until it was regulated, which he hoped would be before long. After carefully weighing and considering the matter, and for months working at it, he had come to the conclusion that it was but fair this small tax should be put upon papers. If one interest received special privileges, others would look for them. The amount of postage was so small, and the time proposed for its coming into operation being the 1st of August, there was no reason why publishers should not make arrangements with their subscribers by which they could charge more for their papers than they were now doing. He hoped the House would take this view of it, and if after a year or two it should be found possible to make a further reduction, no doubt it would be done. He believed this was a step in the right direction, and that the country would find, after having some experience of it, that the Government were justified in bringing in this measure.

Mr. PICKARD said if the effect of this measure would be to increase the amount of mail matter, adding to the weight to be carried by the contractors, he would like to know whether it would increase the cost to the country of carrying the mails.

Hon. D. A. MACDONALD replied that the contractors were bound to carry the mails that were delivered to them. There was no weight mentioned in the contracts with them. He believed the effect of this measure would be to increase the bulk of the mails, but the contractors must carry them at the contract rates.

Mr. DYMOND said if the supporters of the Ministry had nothing worse to defend than the acts of a Government which was giving us a free delivery of letters in our cities, a reduction of 75 per cent on newspapers, and a postal convention with the United States, furnishing the freeest possible communication between two great nations, speaking the same language on this continent, they would return to this

House in as safe a condition as when they last appealed to the people. If there was one act for which the Government was to be commended, it was for taking a broad and liberal view with regard to the postal service of the country. It was perfectly absurd to spend $100,000,000 or $150,000,000 on building a great railroad, to spend hundreds of thousands in constructing telegraph lines, and in making and deepening canals in all directions, if we did not at the same time improve the channel for the current of free thought and information in the country. At the same time it must be remembered that the postal service was still entailing loss upon the country, and likely to do so for many years to come. Therefore, while we might desire to enjoy the luxury of cheaper postage, either for newspapers or letters, it might be that the enjoyment of that luxury would be imprudent. When a lady once wrote to SYDNEY SMITH suggesting that he should advocate a war in aid of certain weak nationalities, he replied :—"It is true that to go to war in such a cause would be a luxury, but it is the business of a prudent, sensible man, to guard against luxury." In carrying out liberal measures for the extension of the postal service, the mechanical labor of the department should be reduced, and when the Postmaster General was charged with endeavoring to avoid trouble at Ottawa or elsewhere, he was merely charged with exercising the truest economy. With reference to the newspaper postage, he believed that any trade in this country would be delighted to contract with the Government for the delivery of the whole of its products at the same rate. The store-keeper was glad to pay $2 a week to a boy to deliver parcels to his customers, yet some hon. gentlemen complained because publishers were charged at the rate of one dollar per week for the delivery of the entire products of their week's business. Having some little acquaintance with the subject he believed that the circulation of every newspaper would increase to a large extent, provided the article supplied deserved the approval of the public, by this reduction in postage. People in the country districts thought a great deal of very little money, and a reduction of twenty cents a year on the price of a newspaper would be a reason with many of them for taking it. It would be well worth while for newspaper proprietors to use these fifteen cents in increasing the circulation of their publications. He did not mean by that the mere profit on the newspaper which was trifling, but every additional newspaper brought with it additional advertising. The Postmaster General had given a satisfactory reply to the question why free delivery was not extended to towns and villages as well as to cities, where free delivery would pay for itself. He hoped the day would come when every man in the land would have his letters brought to his door, as in the old country. This measure was characterized by very wise liberalty and showed a sound practical knowledge of their business on the part of those who had devised this measure, and due regard for economy in the public expenditure for which they were entitled to the thanks and confidence of the House.

Mr. WILKES said it was a mistake to say that free delivery in cities was a tax on those who resided in the country for the benefit of the urban population. It was simply giving further service for the same price It would be as unreasonable as to say that the residents of places where there was only a daily or tri-weekly mail was delivered were paying for the two or three mails delivered every day in large cities. The Postmaster General's reply on this question would be satisfactory to the House. He (Mr. WILKES) had taken the trouble to refer to the experience in England from 1839 to 1873. The number of letters supposed to have been delivered in 1839 was four per head of the population of England and Wales, or say one per head of the United Kingdom. In 1873 the number for England and Wales was 32, or 13 per head for the Kingdom, making an increase of thirteen times from 1840 to 1873. Hon. gentlemen would remember that cheap postage and free delivery were introduced within this period. He did not hesitate to say the increase was largely due to free delivery in London and the large metropolitan districts. It was reasonable to expect that a similar result would attend the introduction of the system into Canada. He wished to know what provision was made for compulsory pre-payment of postage.

Hon. D. A. MACDONALD—If there is a stamp upon a letter, even if that letter is over weight, the over weight will be

charged ; if there is no stamp at all, the letter will be sent to the Dead Letter Office.

Mr. WILKES said this would be received with general satisfaction. If the postage were left optional, and the public could pre-pay or not, it would entail a great deal of difficulty and decrease the amount of postal matter forwarded. Hon. members who condemned the newspaper postage seemed to forget that in the case of the large city newspapers, no such saving was effected. The publishers now pay the express companies. This amendment was simply a postal system undertaking to do what was now done by the express companies. He maintained that there was no just cause why our parcel delivery should not be largely increased, and why increased facilities should not be furnished on railways for this branch of the postal service. He did think that the time had fully come when that system should be taken hold of by the Government, as it was in France and Switzerland. The railways in England did their own express business, and they did it with cheapness and efficiency. He hoped that the carriage of newspapers, at least, would all be done by the Government ; but he could not see that it would be a proper thing to do it for nothing. It might perhaps be a very desirable thing, in order to foster certain industries in the country, that their letters should be carried free of charge, but what right would they have to get such a service performed at the public expense. Those who had the benefit of such a service should pay for it.

Mr. YOUNG—These are the subscribers in this case.

Mr. WILKES said no real argument had been advanced so far to show why this charge should be remitted. In fact, the country newspaper would profit more largely than any other by the proposed arrangement. The great difficulty with the country newspapers was that they were placed in competition with the weekly issues of the great central dailies. These were delivered in large qnantities by express, but the express companies did not send their messengers into the parts of the country to which the circulation of the country weekly was principally confined. He considered that the proposition of the Postmaster General gave these newspapers a chance of enlarging their circulation very considerably, because the paper was cheapened to the public, and would therefore be in greater demand. He hoped the proposal of the Government would be agreed to by the House.

Mr. LANDERKIN complimented the Postmaster General for having in this Bill taken a step in the right direction. The service that his hon. friend had performed in giving us greater postal facilities with the United States, was one that was received with great favor in Canada, and of itself the proposal to reduce newspaper postage, was a commendable one. It was unfortunate, however, that it involved somewhat of a grievance to country newspapers, and he observed that the country publishers were complaining that it was unjust that they should be taxed in the pre-payment of postage on their papers, on the ground that it would be a serious burden upon them, and would increase the expense connected with the publication of their papers. An increase of expense, as every one knew, was detrimental to the circulation. The majority of them had a circulation limited enough already, competition being very great. If it were at all possible he would like to see this matter rectified. He believed also the country generally would like to see a change made. The revenue derived from this source was very small, so small that he thought it might well be dispensed with. He heartily appreciated the advantages that had recently been conferred upon the people by the Post Office Department, and believed the country generally felt very grateful for them. He hoped this feeling would not be disturbed by insisting upon this provision which told so heavily against the Provincial press.

Mr. MILLS called attention to the wording of sections 22 and 23, which he was afraid would not be interpreted generally as they had been by the Postmaster General. He agreed with the hon. Minister that the proposals were very proper ones, but he was of opinion that these provisions would be differently understood by postmasters throughout the country. He thought it would be well if some verbal alterations were made so that the meaning of the resolutions might be perfectly clear.

Hon. Mr. MITCHELL expressed satisfaction at the progress the Postmaster General was making in assimilating our system to the English one. He strongly

recommended that the Government should allow this question to be discussed entirely apart from political feeling, and throw themselves open to accept suggestions from every side of the House. He (Mr. MITCHELL) strongly favored the entire removal of postage from newspapers, and he believed if a considerable majority of the House should be in favor of it, the Postmaster General should not insist upon retaining the clause to which objection was taken. The general circulation of newspapers he considered to be the best means of educating the people. He therefore hoped that the country publishers would not be placed at any disadvantage. He made these suggestions with a sincere desire to have such a bill as would be most beneficial to the public.

Hon. D. A. MACDONALD said it had been stated that the Bill was likely to operate in favor of the metropolitan papers, and against the country weeklies. Now, it so happened that five numbers of the *Weekly Globe* made a pound, and it required on the average thirteen ordinary country weeklies to make a pound. He failed to see in that case where the country newspaper was likely to suffer. On the contrary, he maintained it was likely to be a great advantage to them.

Hon. Mr. MITCHELL said they would suffer in this way—that while metropolitan journals could send their publications in large quantities and very cheaply by express companies, the country newspapers had to send the whole of their matter through the post.

Hon. D. A. MACDONALD said that the express companies would certainly not send the matter much cheaper than it was proposed to be sent by post under this Bill.

The House then went into Committee of the Whole, Mr. MCLENNAN in the chair.

Mr. YOUNG moved in amendment "That the following be substituted for the twenty-second sub-section of Clause 3: "That newspapers and periodical publications printed and published in Canada, and issued not less frequently than once a month from a known office of publication or news agency, and addressed and posted by and from the same to regular subscribers or news agents, shall be carried through the mails free, and such newspapers and periodicals shall be put up into packages and delivered into the Post Office, and the postage rate thereon prepaid by the sender thereof, under such regulations as the Postmaster General may from time to time direct." He said that the arguments adduced in favor of the clause as submitted did not alter his opinion that the change was made mainly to suit the convenience of officials in the head office, and that practically it would operate disadvantageously to the country and advantageously to the city press. The city newspapers expended large sums in paying commissions to country agents, and those charges would be largely reduced by the system of mailing papers. The revenue derived from the newspaper postage would not exceed $10,000 per annum, and it was doubtful whether the newspapers would be sent by mail or by express.

Mr. ROSS (Middlesex), as seconder of the amendment, said the design of the amendment was to abolish entirely and completely the newspaper postage and to allow, as far as Government was concerned, the free circulation of newspaper literature. In Ontario, as well as in the other Provinces, a large sum was annually drawn from the public exchequer for educational purposes, the annual vote in Ontario amounting to half a million dollars. The educational vote in the different Provinces was among the most popular appropriations. Assuming the loss to the revenue to be $10,000, if the newspaper postage were abolished, the Government were liberally expending money upon objects which would be productive of less public good than that of securing the free circulation of newspaper literature throughout the Dominion. He hoped the amendment would be adopted.

Hon. Mr. MACKENZIE—I say most decidedly that the Government cannot accept this amendment. We have gone a long way towards cheapening newspaper literature. We have reduced the postage on newspapers seventy-five per cent., and if hon. gentlemen are determined to still further reduce it, the only effect will be to defeat the Bill altogether.

Hon. Mr. TUPPER said after the very extraordinary announcement of the First Minister, he would like to know more distinctly its purport. Did the First Minister intend to intimate that the Government would treat the carrying of this amend-

ment as a defeat, because if they did he had no hesitation in saying that he would vote with the Government, as he would be unwilling to bring about their defeat. However, he hoped the First Minister would not treat the matter so seriously, but would, good-naturedly, defer to the wishes of the House.

Hon. Mr. MACKENZIE—I am exceedingly obliged to my hon. friend for his promised support.

Mr. MILLS observed that the argument in favor of the abolition of newspaper postage on the ground that it would promote public education, would equally apply to the abolition of postage on books, pamphlets and other forms of literature. As he had before stated the Government in carrying the mails were performing functions that were no necessary part of governmental duty. They had nothing to do with the protection of life and property. The Government, as a matter of public convenience, had assumed the work of common carriers, and they imposed a charge for the work they performed. That charge was not sufficient to cover the expense incurred, and he thought the Government were going a long way towards encouraging newspaper literature when they carried newspapers for a less charge than it cost them. The expense of doing this work must be met in some way, and he knew of no fairer way than by charging it to those who were interested in having the newspapers carried. It must be paid for by those who did not take the papers if it was not paid by those who did. He was satisfied that the effect of abolishing newspaper postage would be to close up a number of small offices and prevent the opening of new ones in sparsely populated districts, because the revenue would be so reduced that the Government could not afford to keep up those offices. He was also satisfied that the people would rather pay the small postage on newspapers and have their post offices near at hand than be compelled to go five or six miles to find a post office.

Mr. BOWELL asked what was the present income from newspaper postage.

Hon. D. A. MACDONALD—About $85,000.

Mr. YOUNG said he had a return two years ago which stated the total amount to be $60,000, one-half of which was from postage on transient papers, and the other half from papers sent from the office of publication. In the Public Accounts of last year the revenue was put down at $72,000, one-half of which would be $36,000.

Hon. D. A. MACDONALD said he was satisfied that under the new Bill they would receive $40,000 from newspaper postage, the amount now received was nearly $90,000. The system of collecting the postage at the office of delivery was a demoralizing one, and it was impossible to get all the money that should properly be received. He was satisfied that in proportion to the rate a much larger revenue would be received under the proposed system than was now received. Under the proposed system the postmasters would be relieved of a great deal of trouble and annoyance, and the revenue could be much more easily collected.

Mr. PALMER wished to understand clearly what was the effect of the declaration of the First Minister. He was in favor of the amendment, but he was also in favor of the Bill, and he would not vote for the amendment if it was going to defeat the Bill.

Hon. Mr. HOLTON said there would be no difficulty in understanding the purport of the observation of the First Minister. He regarded the portion of the Bill which was proposed to be amended as an essential part of the Bill, and if the House decided to abolish newspaper postage, it would be for the Government to consider whether they would go on with the Bill.

Mr. PALMER said he wished to know whether if the amendment was carried the Bill would be dropped.

Mr. BOWELL observed that there could be no misunderstanding the declaration of the First Minister. The only inference that could be drawn from it was that if the amendment was carried the Bill would be dropped, although it was understood at the outset that the measure was not to be treated as a party measure, but that the Government would be prepared to accept the suggestions of the House. He wished to call the attention of the Postmaster General to this fact. The hon. gentleman estimated that he would lose $40,000 by the reduction on newspaper postage, and that the present revenue from that source was $90,000. He also stated that he

reduced the postage 75 per cent., which would reduce the $90,000 to $22,500. He (Mr. BOWELL), therefore, supposed that the Postmaster General expected to increase the $22,500 to $40,000 by the additional newspaper matter which would be sent through the post office on account of the reduction—an expectation which was not at all likely to be realized. With reference to the arguments of the member for Bothwell, if they meant anything they meant that the Post Office Department should be made self-sustaining, and that the postage on letters should be increased so as to cover the actual expense. The hon. member also argued that the effect of the removal of newspaper postage would be to close up a number of country post offices. Under the present system the postmasters were allowed a commission for collecting the postage on newspapers, and he (Mr. BOWELL) would like to be informed if the Government intended to pay postmasters for the loss of this commission. So far as the Bill for the House went, there was nothing to show that they would receive anything, and yet the hon. member for Bothwell would have us believe that the removal of the postage would close up a number of offices.

Mr. MILLS—My statement was that the Government could not afford to establish new offices.

Mr. BOWELL said they had yet to learn that the Government intended to pay the postmasters anything in lieu of the commission they were now receiving. If they did then the increased revenue that the Postmaster General anticipated would never be realized, because according to the member for Bothwell it would require the whole amount received from newspaper postage to compensate postmasters for the loss of their commission.

Hon. D. A. MACDONALD said the question of compensating the postmasters had not been lost sight of by the department, but that could not be settled until the new Act was in operation for some little time.

Mr. BOWELL in reference to a remark of the First Minister, proceeded to say that he had never attacked the system of free delivery in cities. On the contrary he approved of it, and did not see why it should not be extended to the large towns because the increase in the amount of postal matter which it would cause would be as great in proportion to the expense in the large towns as in the cities. In fact, he hoped the day was not far distant when we would have free delivery in the country parts also as in England. But what he had stated was that the principle of delivering newspapers free was based upon the same ground as the principle of delivering letters free. It was stated that the postage could be added to the subscription price, but that would be impracticable, and the result would be that the publishers would under the system of compulsory prepayment be obliged to pay the postage and get no return for it. While he would vote for the abolition of newspaper postage, he did not so much object to it as he did to the mode in which it was proposed to be imposed.

The Committee rose and reported progress, and it being six o'clock the SPEAKER left the chair.

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AFTER RECESS.

The House again went into Committee of the Whole on the resolutions in respect to the Postage Bill; Mr. MCLENNAN in the chair.

Mr. YOUNG said every hon. member understood that in moving his amendment he had no desire whatever to interfere with the passage of the measure which the Hon. Postmaster General had brought down. He had stated on a previous occasion that the Bill, as a whole, was a good one, that there were many excellent features in it, and he gave the hon. the Postmaster General considerable credit for having carried out a convention with the United States with respect to postal affairs. At the same time he regarded the feature of the Bill relating to newspaper postage as a defect, but a minor one, and a question upon which hon. members might reasonably differ in opinion. He thought that on a minor point the Government would be prepared to accede to the general opinion of the House, and he was not, therefore, prepared to find the hon. Premier take the position he had with respect to that minor feature of the Bill, one which would not affect its principle in any essential particular. He (Mr. YOUNG) scarcely thought the ground ought to be taken that the Bill would be materially affected by a change made in that particular point. The whole matter

in dispute was an exceedingly small one, and if the Government had seen their way to accede to the demand made upon them, and left it an open question to the House, they would have taken a step which would have given not only satisfaction to the country, but to the majority of the members of the House. The Government being determined to oppose the amendment, it was quite evident, after the statement made by the hon. the First Minister, that the amendment would necessarily fall to the ground. At the same time he held strongly the opinion that the Bill was defective in that regard, and that a hardship would be imposed on an important section of the community, of which they would have good reason to complain. In justice to himself he felt bound to notice some of the remarks which had been made by hon. members during the debate. The hon. Postmaster General had stated that the postage on newspapers was a nuisance — that the public looked upon it as a miserable arrangement. He (Mr. YOUNG) concurred in that view, and admitted that the public regarded the newspaper postage as an arrangement giving them much trouble ; but if the public had been asked to express an opinion, it would not have been that the nuisance should be taken from their shoulders and placed on the newspaper publishers in the country. With respect to the remarks of the hon. member for Bothwell, he ventured to remind that gentleman that three or four years ago he voted for the total abolition of newspaper postage, and yet when the Government had removed three-fourths of the postage, he could not see his way to vote for its entire removal. With respect to the amount of revenue which would probably be lost to the Post Office if the newspaper postage were entirely removed, he (Mr. YOUNG) disagreed with the statement of the Postmaster General who now spoke of it as $40,000, whereas he understood him at first to say it would be only $25,000.

Hon. D. A. MACDONALD explained that he anticipated receiving $15,000 over the amount which would be received under the present system, viz., $25,000.

Mr. YOUNG (continuing) said that even at his own calculation, it could not be so much as that. The present total revenue the Postmaster General stated to be $90,000. Taking one half as representing the papers sent direct from office of publication, we had $45,000 and if the hon. gentleman's bill reduced the postage three fourths, as he claimed, the total amount would not exceed $12,000. Adding any increase from papers now sent by express he (Mr. Y.) believed the revenue would not be greater than he had previously stated, that the loss to the revenue would not exceed $12,000. The real question, however, was whether the postage should be thrown upon this particular class. On the whole he thought it would have been a just and graceful act if the Government had entirely abolished this impost upon newspapers. The whole amount was a mere bagatelle. What was $20,000 to a department that expended so much. If they had taken this course it would have been an additional reason for giving thanks to the Postmaster General for a Bill which, on the whole, was a most excellent measure.

Hon. J. H. CAMERON said that instead of finding fault with the Postmaster General the House ought to recognize the fact that the changes made by the Government on the suggestions offered them, were most acceptable to the country considering the large amount of revenue they were dispensing with. He (Mr. CAMERON) would have been exceedingingly glad if the Government had felt it was in their power to remove from the newspaper press the burden which so many gentlemen said would rest upon it under this arrangement. When the Government had made such large improvements by this Act, the House ought to be perfectly satisfied with what had been done and they should not expect more. If the Postmaster General had gone as far as possible he should not be embarrassed. He (Mr. CAMERON) was thankful, as a member of this House for the changes the Government had made in this Act, and was perfectly prepared to do everything he possibly could to support the Government in carrying this measure through.

Hon. Mr. CAUCHON said if the Government had not made this such a decided part of their policy he would have voted for the amendment. The complaint against the tax was not so much because of its amount as the inconvenience it entailed.

Hon. Mr. MACKENZIE felt exceedingly obliged to the hon. member for Card-

well for tendering his assistance to the Government in this matter. They would carefully watch the working of this act, particularly noting this clause, and if it should be deemed advisable, to make further changes, it could be done at a future time.

Hon. Mr. POPE raised a question of order. The amendment was moved by an interested party—a newspaper man.

Mr. YOUNG said he was formerly connected with the newspaper press, but anything he had done in this matter was in the public interest.

Mr. BOWELL wished the Premier to understand that his opposition to this clause was not because he was once connected with the press, but because he believed he was right. On a former occasion when he moved a resolution to abolish newspaper postage, the hon. member for Chateauguay seconded his motion and voted with him. However the change from the Opposition to the Government side of the House, seemed to have changed the hon. gentleman's views.

The amendment was lost on a division, and the clause was agreed to.

The fourth clause was agreed to without discussion.

On the 5th resolution,

Mr. MOSS said this resolution seemed to provide that letters insufficiently stamped would be returned to the sender, whereas he understood the intention was to forward such letters, and charge the receiver double postage.

Hon. D. A. MACDONALD said this resolution applied only to letters addressed to the United States. Such letters, if not sufficiently stamped, would be returned, or otherwise the department would receive no postage from them at all. But in the case of letters addressed to any part of Canada, if they were insufficiently stamped an additional stamp would be placed on them, and they would be forwarded, and the receiver would be charged with the additional stamp. But if they were not stamped at all they would be sent to the Dead Letter Office, there opened and returned to the sender.

Hon. Mr. TUPPER said he was sorry that this course had been decided on with reference to unstamped letters. Frequently in the hurry of stamping a number of letters some might be omitted or the stamp might be rubbed off, and very serious trouble and annoyance—perhaps in some cases loss of business credit or loss of human life—would be occasioned by such letters not being forwarded. Then parties might be so situated that it would be impossible for them to obtain stamps at a time when it was of vital importance that a letter should be sent without delay.

Hon. D. A. MACDONALD said the system of pre-payment of postage would be useless if they opened the door to non-payment by agreeing to send letters that were not pre-paid. If a letter was not pre-paid it would be immediately sent to Ottawa, and returned to the sender as quickly as possible. He would take care that the delay which occurred heretofore in returning letters sent to the Dead Letter Office would not be continued, but that such letters would be forwarded promptly to the sender.

Mr. BURPEE (Sunbury) thought the Bill as it stood would give very general satisfaction. The cases referred to by the hon. member for Cumberland would occur very seldom, especially after the public became familiar with the law. He had received letters from his constituents, and others speaking of the importance of compulsory pre-payment, and asking him to urge it upon the Government.

Mr. CURRIER said no doubt it was objectionable that the Department should have the opportunity of examining private letters, but nevertheless the advantages of compulsory pre-payment to business men was so great that he would support it.

Mr. WILKES suggested that post masters be allowed to return unstamped letters direct to the sender in all cases where the address of the sender appeared on the envelope.

Mr. BOWELL pointed out the absolute necessity, if pre-payment was to be compulsory, of providing greater facilities than is at present for the sale of postage stamps, because very often business men and others wished to mail letters after the post offices were closed, and they could not be expected to have always a supply of stamps on hand.

Hon. D. A. MACDONALD said he had not yet refused a single application for permission to sell postage stamps. Since the House met the department had granted over fifty permissions to sell stamps.

Mr. BOWELL said he was not aware that the regulations had been relaxed.

Hon. D. A. MACDONALD stated in reference to the suggestion of the hon. member for Centre Toronto, that that was a matter of departmental regulation, and he would take care that unpaid letters which contained the address of the sender on the envelope would be returned direct to the sender.

Hon. Mr. MITCHELL pointed out the disadvantages that business men would be under if letters which through the inadvertence or carelessness of a clerk were unstamped were to be sent to Ottawa and not forwarded to its destination. Such letter might contain an acceptance, and the result of its being delayed might cause very serious financial injury to the sender. He thought the Department would be sufficiently protected in the case of unpaid letters by charging double postage, and if that was not enongh he would prefer to see the fine doubled or trebled rather than that such letters should not be forwarded. He objected to the position taken by the Premier in reference to the amendment proposed, and with reference to a remark of the hon. member for Chateauguay, he said it was absurd to suppose that the amendment affected a vital and essential part of the Bill.

The fifth and remaining resolutions were then adopted and the committee rose and reported them. Concurrence to-morrow.

BANKS AND BANKING.

Hon. Mr. CARTWRIGHT moved the second reading of a Bill to amend the "Act respecting Banks and Banking."

The Bill was read a second time.

The House then went into Committee on the Bill, Mr. BROUSE in the chair.

Hon. Mr. CARTWRIGHT said the Bill which it was now poposed was a formal one merely intended to remedy certain manifest defects in one or two clauses of the Act relating to Banks and Banking; but it had been suggested—and the suggestion appeared to be a sound and reasonable one—that while Parliament was amending that Act it could with advantage remedy certain faults in other clauses of the Act. Under the present law banks were prevented from making loans on security of their own stocks, but he had been informed very recently that certain banks bought their own stock, and whatever objection might be urged to banks having money on their stock applied in a greater degree to purchasing their own stock. He, therefore, proposed to amend clause No. 6 of the Act to meet the case. He (Mr. CARTWRIGHT) moved that the House rise and report progress.

Mr. DOMVILLE objected to the form of the bank statements which were published, remarking that the two headings, "Liabilities not included under the foregoing head" and "Assets not included before" were of such a character as to practically cover up any deficiency and prevent stockholders from being able to ascertain, from the published statements, the precise position of the banks.

Hon. Mr. CARTWRIGHT said he would take the matter into consideration; but the present Bill was simply to amend the Act in mere formal particulars, while the objection raised by the hon. member was of a more serious character, and would require careful consideration.

Mr. YOUNG called attention to the circumstance that some of the banks in the Dominion did not regularly publish their statements. He inquired if some steps could not be taken to compel all the banks in each Province to publish their monthly statements with regularity.

Hon. Mr. CARTWRIGHT said some of the banks acted under charters not granted by the Dominion Parliament, and until those charters lapsed the Government had not absolute power over them. All the banks which were entirely under the control of the Government published their statements regularly.

The committee then rose and reported.

INSPECTION OF GAS.

Hon. Mr. GEOFFRION moved the second reading of the Bill to amend the Act 36 Vic., Cap. 48, relating to the inspection of gas.

Bill read a second time.

The House then went into committee, Mr. PELLETIER in the chair, and reported the Bill without amendment.

CONTROVERTED ELECTIONS.

Hon. Mr. FOURNIER, in moving that the House do resolve itself into Committee on the Bill to amend the Act respecting controverted elections, stated that he intended to propose amendments in Committee in accordance with the suggestions made by several hon. members,

especially by the hon. members for Cardwell and South Bruce.

Mr. MACKENZIE BOWELL thought some explanation should be given by the Minister of Justice for introducing this Bill, as he saw no reason to stay proceedings in connection with the trial of controverted Elections during the session of Parliament. The hon. Minister of Justice ought to furnish the House with satisfactory reasons for proposing to make this amendment to the act, for it was a direct interference with the courts in the different Provinces of the Dominion. If a gentleman occupied a seat in the House that he was not entitled to keep, there was no good reason why the House should intervene to prevent the courts from setting aside the Election. It might be convenient for hon. members whose elections had been contested that the House should intervene and stay proceedings, but he understood the object in passing the Controverted Election Law was to faciliate the removal of members from the House who had been guilty of corrupt practices. The hon. Premier in a speech delivered at Cornwall, not very long since, called attention to the fact that if trial by Judges had then been in operation, certain members of the House would not have held their seats for any length of time. Now we find that when a large number of seats are being contested and the cases are before the courts, that the Government come down with a Bill to prevent the courts from proceeding with the cases and voiding seats which are held by gentlemen who probably have no right to them. If the Bill in its present shape were adopted the Controverted Election Act had better be abolished altogether, and we had better revert to the old *regime*, by which members threw all possible difficulties in the way to prevent themselves being unseated. There might be the most flagrant cases of corruption if the law were amended as proposed, particularly if the election should take place immediately prior to the calling together of the House, every member so elected, no matter if it were by corrupt practices, would hold his seat for at least one session; that was certainly not the intention of Parliament when the Controverted Election Act was passed. He quite concurred, however, in the amendment to provide that parties contesting elections should be compelled to go on within a certain time, or drop the proceedings altogether, because election cases should not be held *in terrorem* over the heads of members for two or three years. Election cases that had been tried before the courts showed that corruption of a grievous character took place at the last election, when it was known that $20,000, and even $30,000 had been spent in some constituencies at one or two elections. Was the House to be told, particularly the party which had made this question their hobby, that those gentlemen, if they happened to be returned, should be permitted to hold their seats and assist in enacting laws, occupy positions on important committees, when in in fact they had no right to sit in the House? From the election trials which had taken place before the courts, it appeared not only that large sums of money were spent at elections in "elevating the standard," but several cases were brought to light where members of the Government had actually interfered and used their influence improperly to elect their own candidates, notwithstanding the fact, which the records of Parliament would show, that they placed on the journals of the House their opinions, condemning any act on the part of Ministers of the Crown in interfering, either directly or indirectly, with any official in election matters. Yet in one case it was proved that a Minister of the Crown promised indirectly that $8,000 out of the revenues of Ontario should be spent upon roads, if only a certain gentleman was returned. In another case a Minister of the Crown wrote to certain parties promising that he would provide a position for a certain young man if he voted right, and the Minister did give him a situation, which he, no doubt, now held. Contrasting those acts with the declarations made in the House not many years ago by the party opposite, the confessed it appeared to him to be as range procedure for the Government now to come down and ask the House to stop proceedings in controverted election trials during the Parliamentary session. There were many other cases to which he could call the attention of hon. members in which Ministers had interfered with elections by writing letters to constituents, in order to place a candidate then before the people in such a light as to induce the electors, if

possible, to reject him, by sending telegrams, and using other means. When it was found that large amounts of money had been expended by the very people who had been preaching the doctrine of "elevating the standard of political morality," they should be the last persons to come to the House and ask it to pass a law which would prevent the courts from proceeding with their inquiry, and to decide as to who had the right to a seat in Parliament. He wished it to be distinctly understood that he expressed no opinion on the cases now before the courts, because he knew nothing respecting them; he was only speaking of what had transpired and what might possibly transpire in the future in connection with those cases that were to be tried. For these reasons he, as a member of the House, was opposed to any interference with the law as it existed in that regard. He hoped the hon. Minister of Justice would adopt the suggestion of the hon. member for Cardwell, in order that all parties guilty of corrupt practices at elections might be punished; for until some provision was made which would compel the Judge who held the case to report those who had been proved guilty of corrupt practices, either to the County Attorney or, to this House, when it would become the duty of the Minister of Justice to send those cases to the courts in order that the guilty parties might be punished, all our legislation would fail to accomplish the object which Parliament had in view in passing the Controverted Elections Act, viz., the prevention of corrupt practices. A large number of persons guilty of corrupt practices at the late elections had been reported to the House, and yet no action had been taken on the part of the Government to punish those guilty of bribery or corruption. The reason for this could be interpreted in this way: both parties in the House had friends in that position, and neither wished to take action which would compel their punishment. If it were desirable to prevent the bribery and the corruption which had prevailed in the past at elections, the suggestion of the hon. member for Cardwell should be adopted in order to obtain the punishment of persons who had been guilty of such corrupt practices, and it would be well to amend the Bill so as to carry out the doctrine laid down in the resolution moved a year ago by the hon. Premier, to punish any member of the Government who attempted to interfere, improperly in the elections of the different constituencies.

Hon. Mr. MACKENZIE said he had never objected to ministers interfering in elections, and he defied the hon. gentleman to point out a single case where he had made any such objection. He had, however, objected to ministers, or the chief officials of the Government bringing the power of the Crown to bear on any of the servants of the Government, in order to induce them to take certain action in elections; he objected to threats being made by a high official in the Post-Office to compel postmasters to vote in a certain way, and he made a motion on that occasion. But he never objected to ministers taking part in elections, for they were bound to look after their own party and their own interests in that respect. He, or any other minister, had precisely the same liberty as any hon. member of the House to attend election meetings and advocate, by fair argument and fair means, the election of their own friends. He did not know who the hon. member for Hastings alluded to when he spoke of some minister offering $8,000 for some specific purpose; he had never heard of it before.

Mr. BOWELL—I did not say so.

Hon. Mr. MACKENZIE said it would be much better when an hon. member made charges to make them specifically. He saw in the Tory press, last summer, that he had attended a large meeting and addressed the workingmen and engineers on the Grenville Canal in support of the present member during the election, while passing through that county. He made no public denial of the charge, because he thought it was not needed. He did not conceive it to be possible that he had been guilty of the wrong doing of addressing any of the Government employees on such a subject. He held no meeting—did not interfere, in any way whatever, with the election. If there had been a meeting of the county, he would have attended it and spoken in favor of the Government candidates, but it was an entirely different thing to accuse him of having endeavored to interfere with the action of employees of the Government in election matters. He had never done that, nor had he ever spoken to a single servant of the Government in respect to election matters. As to the other point

of objection raised by the hon. member for Hastings to the Bill before the House, there was this to be said : the sessions of the Dominion Parliament now averaged about two months. If proceedings were taken after the House commenced its sittings, it appeared to be practically impossible to have an election case tried, a new writ issued, and a new member returned, before the close of the session ; and it was disfranchising a county when proceedings were taken, a member unseated, and a new election ordered during a sitting of the House, and it was not advisable that any constituency should be disfranchised in that manner. That view was taken by a large number of the members of the House. It seemed to him, although it was not brought to his attention until after the House met, that it was a very reasonable proposition, and it was for the purpose of giving effect to that proposition that the Bill was introduced. The Government were not called upon to take proceedings against those reported by the Judges as having acted improperly in connection with elections. That was a matter for those who had charge of the administration of justice in the respective Provinces, unless some law were passed making it a specific duty of the Government under certain circumstances. This had not been done. The law was in this respect somewhat different from the law in England, with which he presumed it was the purpose of the hon. member for Cardwell to assimilate our statute. There was no objection to that, but in the meantime the Government were not called upon to take the course the hon. gentleman proposed.

Mr. PLUMB said he was surprised to hear the arguments of the leader of the Government. So far as he understood it, the law intended that a man should not sit in Parliament who had been improperly elected. The trial of a protest should be as speedy as possible. The Premier stated that by proceeding with the trial while the House was sitting, the constituency interested was practically disfranchised, but it was surely better that the constituency should not be represented than that it should be misrepresented by a man who had got the seat by corrupt and improper means. Every means should be taken to see whether objections taken to a member's election were well founded, or whether he did not hold his seat properly. If this Act were passed, any man who had an ulterior object in getting into Parliament for a session might buy himself into his seat and hold it until his purpose was fulfilled. The responsibility would rest upon hon. gentlemen opposite for placing upon the Statute Book what he (Mr PLUMB) did not hesitate to call an atrocious Act.

Hon. Mr. BLAKE said when his hon. friend from Niagara was pointing out the defects in the Controverted Elections Act he might have gone a little further and told the House that it was possible under the present law for a member who had been unseated by a Judge to take a sham appeal, an appeal he did not intend to prosecute, in order that time might be obtained for altering the constituency in some respects by a new list of voters being put in, and after that object had been accomplished—after he had used the process of law, not for the purposes for which it was intended, but for a sham purpose—to withdraw the appeal and go to the constituency again.

Mr. PLUMB said the hon. gentleman had referred to his own case, and he would therefore state that he forced the opposing counsel to bring on the trial as speedily as possible, and after he was unseated he found there was a fraudulent voters' list, and that a certain gentleman was endeavoring to bring on the election under that fraudulent list. Under those circumstances h took the appeal for the purpose of getting an honest voters' list, and preventing the perpetration of a gross fraud, and when he had accomplished that object he withdrew the appeal.

Mr. McDOUGALL (Renfrew) said the member for Hastings had stated that a Minister of the Crown had offered a bribe of $8,000 to a constituency.

Mr. BOWELL—What I said was that it transpired in evidence that a Minister of the Crown had been using his influence and directly or indirectly promising a sum of money out of the Ontario Treasury in order to accomplish certain ends.

Mr. McDOUGALL said if any discredit attached to any one in connection with that matter it rested with him. What transpired at his election trial was that allusion had been made by him at a meeting in his constituency to the fact that the Ontario Government were about to spend

$8,000 in a portion of the constituency. He thought he was perfectly justified in calling the attention of the electors to the fact that a Reform Government were willing to treat that question of the constituency with more justice than the former Government had been. Thereupon an elector asked whether that was likely to be done by a particular person that was sent to Parliament. He replied that if such matters were treated in the same way as they had been by the former Government in all probability the amount would be affected in some degree by what was done by the electors in making their choice. If any blame was to be attached to any one for making that statement it was to him alone.

Mr. PALMER said he had very serious objections to this Bill. He could understand some reason for providing that no trial should go on during the session of Parliament ; but there was no reason why an appeal might not be prosecuted during the session.

Hon. Mr. FOURNIER said when he sent the draft of the Bill to the law clerk there was no reference in it to appeals. That provision had been inserted by the law clerk.

Mr. PALMER said if that provision was struck out the best part of the Bill would be struck out, but still he thought it was best to leave the whole question of whether a trial should be carried on during the session of Parliament in the hands of the Judges.

Hon. Mr. BLAKE remarked that as the Minister of Justice had stated he intended to embody some of the suggestions proposed by other members it would be well to go at once into committee and then the House would be aware of what suggestion the Minister intended to adopt.

Hon. J. H. CAMERON approved of the suggestion, and added that it would be well after the Minister of Justice laid his propositions before the committee for the committee to rise and report progress, in order that time might be given for full consideration.

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

Hon. J. H. CAMERON contended that the question of whether a trial should proceed during the session or not might safely be left with the Judges. There were a great many proceedings in connection with these trials, at which it was not at all necessary for the member petitioned against to be present, and it would be a pity for these proceedings to be stayed. Then if it was necessary that the member should be personally examined, there were means for doing that at the seat of Government.

Hon. Mr. BLAKE thought that many of the observations of the hon. member for Cardwell were deserving of attention. The most injurious consequences of the Act as it stands were these : Supposing it should turn out that a member was unseated during a session of Parliament, it was perfectly plain that no new election could take place involving the return of a member to this House in time to take part in the business of the session. The constituency would remain unrepresented till the next session. In any case in which the presence of a member was not required at the trial, there could be no possible object in delaying it, but in ninety-nine cases out of one hundred the grounds on which petitions were filed, were for bribery, either personal or by agents. In such cases the accused should be present at their trials. In that class of cases a member should not be interfered with during a session of Parliament. The House had also to consider the injury which might result from ten or twelve trials going forward during a session, occasioning the absence of as many members who might be leading men in Parliament.

Hon. J. H. CAMERON said his idea was that Parliament should not take the matter out of the hands of the tribunal in which they had placed it, but in the amendment they were making they should direct the attention of the Judges to the point they were speaking of. It would never do to make the judges believe that now, after passing a stringent election law and Controverted Election Act, Parliament was setting itself against their operation. The Judges should be given power, where they deem it necessary, to suspend further proceedings so long as Parliament sits.

Hon. Mr. BLAKE was quite willing that it should be left to the Judges to determine whether there was really a case for the presence of a member at a trial, but the sense of Parliament ought to be manifested that if there should be a case for the presence of the accused, he ought

not to be called away during the session.

Mr. PALMER quite approved of this view.

Mr. KIRKPATRICK also approved of the suggestion, but thought the Judges should not be led into the belief that if they were going to avoid the election they should postpone their decision. There was another particular in which the English Act might be copied. A distinction should be made between those constituencies which were reported to be untainted with corruption and those where corrupt practices had extensively prevailed. He wished to know the orders with reference to the issue of writs. The Kingston election case was decided on December 2nd, the writ was immediately issued, and the election was held on the 29th December. On December 5th, three days latter, the East Toronto case was decided. but the writ was not issued immediately as in the other case, nor until three weeks after He wished to know why the same course was not pursued in both cases.

Hon. Mr. MACKENZIE—The cause was that we wished to have the election held on the same day as the election for the Local Legislature, to save trouble. The same thing would have been done in East Middlesex if we had had time.

Hon. Mr. BLAKE said he had communicated with his friend from Cardwell, and they had agreed upon an amendment. The clause, as he proposed to amend it, would read as follows:—Whenever it appears to the court or to the Judge that the respondent's presence at the trial is necessary, the trial of the petition shall not be commenced during any session of Parliament, and in the computation of any delay allowed for any step or proceeding in respect of any such trial, or for the commencement of such trial under the next following section, the time occupied by any such session shall not be reckoned.

Hon. Mr. FOURNIER assented to the amendment.

On the second clause,

Mr. MACDONALD (Inverness), called attention to the fact that under the law as it stands, the security given by the petitioner might be perfectly solvent at the time the petition was filed, but when the trial stood over for nine months or a year, something might have occurred which would render him insolvent. He therefore asked the Minister of Justice whether he would not assent to the amendment of which he (Mr. MACDONALD) had given notice, dealing with the subject.

Hon. Mr. FOURNIER said he was going to place an amendment in the hands of the Chairman, which would obviate the necessity of that given notice of by his hon. friend. It provided that in case the trial of a petition was not proceeded with in six months the petition would lapse.

Mr. KIRKPATRICK said the amendment of his hon. friend from Inverness had reference to petitions now pending, while that of the Minister of Justice referred to petitions that might be filed in the future.

Hon. Mr. FOURNIER said he could not consent to any interference with the interests of the parties whose cases were now in court. He would oppose any legislation of that kind.

Mr. TASCHEREAU called attention to the fact that in the Dorchester election trial, argument took place before the Judge on the 7th December last and judgment had not yet been given.

Hon. Mr. FOURNIER said that this matter was entirely in the hands of the Judge, and the only way to effect a remedy was to resort to impeachment.

Hon. Mr. BLAKE said that where petitions were in the hands of Judges it was extremely difficult for this House to endeavor to limit the time within which judgment should be given, but he ventured to say that the function with which the Judges had been entrusted—of trying election petitions—was the highest function that could be given to them, and the discharge of it should, in his judgment, demand their earliest as well as their best attention. Judges who are charged with this duty should give it precedence over all their ordinary duties. Of course, their regular terms must be observed; but he did not hesitate to say that where appeals had been taken to the full court in term, it would be right and proper that judgment should be given at the earliest practicable day, and in preference to the ordinary business of the court. He spoke more particularly with reference to two cases which were appealed in the courts of Ontario, and in which a large number of judgments were given in the ordinary cases while the judgments upon these appeals were reserved, and not given until

a later day. The true light in which the judiciary ought to view this law was that the cases brought before it should receive their earliest attention.

Hon. J. H. CAMERON said the cases referred to by his hon. friend were somewhat unusual, and he had no hesitation in saying that judgment was given with the greatest possible despatch. There were several flagrant cases of delay in the courts of Ontario, but they had invariably arisen on account of the conduct of the parties to the suit, and the Judges had in every case threatened to dismiss the petitions unless they were at once proceeded with.

Hon. Mr. BLAKE said if the judgments were given at the earliest possible moment he did not complain. He had not said that there was any great grievance, but simply took the occasion to lay down the proposition that it should be the sense of Parliament that the decision of these election cases should take precedence of ordinary ones.

Mr. PALMER said the facilities for trying election petitions in the Superior Courts of New Brunswick were somewhat limited, and it might be impossible for a trial to go on within the six months to be fixed by the Minister of Justice. He suggested that in order to meet this exigency the clauses should be amended by inserting the words "Without the order of the Judge."

Hon. Mr. BLAKE said he would prefer to lengthen the time to nine months or even twelve rather than leave the matter to be thus disposed of by the order of the Judge because it made the language so uncertain.

Hon. Mr. FOURNIER said the second section, as he proposed to amend it, would read as follows:—"subject to the provisions of the next preceding section, and except it shall not be commenced or proceeded with during any term of the court of which the Judge trying it is a member, and in which by law he is bound to sit, the trial of every election petition shall be had within six months from the time that such petition has been presented, and shall be proceeded with *de die in diem* until the trial is over, unless the requirements of justice render it necessary that a postponement of the case should take place: Provided that in any case where the said period may have elapsed before the prorogation of Parliament at the end of the present session, such trial may be commenced at any time within two months after such prorogation."

Hon. Mr. BLAKE said it was desirable to provide against any collusive arrangement being entered into between parties to a controverted election by which the trial might be put off from time to time and no evidence given in the premises. The people might thus be prevented from exercising their right to petition, if they believed a member to be improperly returned, by trusting to the efforts of whoever might have protested the election to bring it to trial, and would find it impossible to go into the case, when by this collusive arrangement they had been betrayed into permitting the period within which they could petition to pass. He proposed, therefore, that in case four months had elapsed after the petition was at issue, without the day for the trial being fixed, any one might, on application, be substituted for the petitioner, on such terms as might be considered just. He moved the amendment to that effect of which he had given notice.

Hon. J. H. CAMERON suggested that the time should be made three months.

Hon. Mr. BLAKE agreed, and the amendment was carried.

Hon. Mr. FOURNIER moved an amendment to the effect that the Judge shall send in his report to the SPEAKER within four days after the close of the trial.—Carried.

Hon. Mr. FOURNIER also moved the following amendment:—

"In case, on the trial of any election petition under either of the said Acts, it is determined that the election is void by reason of an act of an agent committed without the knowledge and consent of the candidate, and that costs be awarded to the petitioner in the premises, the agent may be condemned to pay such costs, and the Court or Judge shall order that such agent be summoned to appear at a time fixed in such summons, in order to determine whether such agent should be condemned to pay such costs.

"If at the time so fixed the party summoned do not appear he shall be condemned on the evidence already adduced to pay the whole or a due proportion of the costs awarded to the petitioner, and if he do appear the Court or Judge after hearing the parties and such evidence as shall be adduced shall give such judgment as to law and justice shall appertain.

"The petitioner shall have process to recover such costs against such party in like manner as

he might have such process against the respondent, and no process shall issue against the respondent to recover such costs until after the return of process against such party."
—Carried.

Mr. TASCHEREAU suggeseed that some amendment should be adopted to prevent delays in rendering judgment. In the Dorchester election case, to which he had referred, although the case was argued on the merits as far back as the 15th December, no judgment had yet been rendered.

Mr. BABY said it should be remembered that no less than 120 witnesses were examined in that case, and that the *enquete* lasted nine weeks.

Mr. TASCHEREAU said that the evidence of only about twenty of these witnesses needed to be considered.

Hon. Mr. BLAKE agreed with the member for Montmagny that the delay in the case he had referred to was extraordinary, but it would be entirely unprecedented to limit the time within which a Judge must render judgment. He hoped the discussion to-night would induce the Judge to give due diligence to the case, and it was for that purpose he had referred to it.

The Committee then rose and reported the Bill with amendments.

CONCURRENCE IN SUPPLY.

The House then proceeded to concurrence in the report of the Committee of Supply.

Items, 111 to 113 inclusive, were concurred in.

Hon. Mr. TUPPER asked if the Government had not received an application from the Eastern Steamship Company at Halifax for a subsidy for a line of steamers running between Sydney and other ports in Cape Breton and St. Johns, Newfoundland.

Hon. Mr. MACKENZIE—We have an item in the supplementary estimates for that purpose.

Items, 114 and 115, were concurred in.

On item 116, Steam Service, between San Francisco and Victoria, $54,000,

Hon. Mr. MITCHELL asked in what position that contract stood.

Hon. Mr. MACKENZIE —Tenders are asked for now, and it is supposed that a local company will be able to send in tenders that may be accepted by the department, but that of course we do not know.

Item concurred in ; also item 117.

Item 118, to provide for the examination of Masters and Mates, $5,500 was concurred in without discussion.

On item 119, for the purchase of life boats, life preservers, and rewards for saving life, $4,000,

Hon. Mr. MITCHELL said he had received a letter from a very prominent merchant of Quebec, who had taken a very considerable interest in the trade and commerce of the St. Lawrence, in which he spoke as follows :—

"I have sent you a copy of the Dominion Board of Trade Report, and would call your attention to the resolutions on enquiries into shipping. By the former you will see that no less than 71 ships met with disaster in the St. Lawrence alone last season, and that no public enquiry of any sort took place, and no pilot was even tried by the Trinity House (your act having as I would say, taken away their jurisdiction.) One of these cases, the collision between "S. S. Norma" and the barkentine, "James Seed," was a terrible affair. Five lives were lost. It is stated that the pilot of the steamer was so stupid that no reliable evidence could be got out of him for the admiralty, and this is confirmed by one of the assessors. I asked the Minister why no enquiries were ordered, and his reply was the expense would be enormous. I wish you would put a question to him in the House, as surely some of the more flagrant cases ought to have been enquired into, and should not cost a large sum. Will you also please ask whether he intends to bring in a short Act to repeal or explain the 71st clauses of the Pilotage Act, to explain the powers of the Trinity House, which he said he might do on the Deck Load question. You will see some startling figures which I gave the Royal Commission. Their last report alludes to this question and they speak highly of your act. In the appendix you will find the names of the 71 ships."

Now, if it were true that 71 wrecks had occurred on the St. Lawrence and no investigation had taken place, this vote was insufficient to meet the service.

Hon. Mr. MACKENZIE said in the majority of these accidents or wrecks the circumstances were so well known that an inquiry was unnecessary. It was only in cases of collisions where the facts were disputed, or serious loss of life occurred that an investigation need take place. He would make inquiries with reference to the particular case referred to.

Hon. Mr. MITCHELL said an opinion seemed to prevail that these accidents were frequently due to incapacity of pilots or drunkenness on the part of masters and engineers. Inquiries ought certainly to be made in some flagrant cases.

Hon. Mr. MACKENZIE promised to give his personal attention to the matter.

Mr. McKAY (Cape Breton) hoped the Government would furnish the port of Sydney with a life-boat. Two lives were recently lost in an attempt to rescue persons from a wreck at that place, for want of a life-boat.

Hon. Mr. MACKENZIE said steps had already been taken to furnish life-boats at such places on the sea coast and on the lakes.

The item was concurred in.

Item 120 was concurred in without discussion.

On item 121, expenses in connection with Canadian Register and Classification of shipping, $6,000,

Hon. Mr. MITCHELL asked what steps were taken to carry the measure on this subject into operation.

Hon. Mr. MACKENZIE replied that it was quite evident last session that the feeling of ship-owners, so far as they were represented in this House, was hostile to enforcing that Act, and the hon. member would acknowledge that it would not be advisable to force an Act of that kind on the great shipping interests of the Dominion. If public opinion was getting more reconciled to it, he (Mr. MACKENZIE) thought it would be exceedingly desirable to have the Act in operation, but not against the almost unanimous opinion of the parties interested. If it were the case, as it seemed to be, that public opinion was veering round in its favor, the Government would be very glad to put it in operation immediately.

Hon. Mr. MITCHELL contended that public opinion was never against it, even in this House. The opposition was due to the activity and influence of a few ship-owners and not to any general disapproval of the measure.

Mr. GOUDGE hoped the Government would not put the Bill into operation until hon. members from the Lower Provinces had an opportunity to consult with their constituents on the subject.

The item was concurred in.

On item 122, to provide for salaries of Secretaries of Pilotage Commissioners at St. John, N. B., and Halifax, $1,600,

Mr. GOUDGE asked if it was proposed to pay salaries to the Secretaries of Pilotage Commissioners at other ports.

Hon. Mr. MACKENZIE replied that the Act did not make any provision for paying such salaries at any ports but the two named.

Mr. GOUDGE claimed that the Secretary of the Pilotage Commissioners at Windsor, should receive a salary.

Mr. McKAY (Cape Breton) claimed that remuneration should be given to the Secretary of the Commissioners at Sydney for his services.

The item was concurred in.

Items 123 to 131, inclusive (with the exception of 128, which was allowed to stand), were concurred in without discussion.

On the item under the head of Geological Survey and Observatories,

Hon. Mr. TUPPER contended that the appropriation for geological survey should be increased. In England where the area of country was only 124,000 square miles, the geological staff consisted of 69 persons. In Canada with its 2,000,000 square miles of territory, our staff consisted of only eleven geologists. More could be accomplished in the North-West by the expenditure of a comparatively small sum in geological explorations than could be accomplished in any other way.

Hon. Mr. MACKENZIE quite agreed with the general remarks of the hon. gentleman as to the importance of this service. All the Provinces owned their own lands and economic minerals, and it was as much their duty as it was the duty of the Dominion to employ a geological staff. The present staff was established on a very small scale by the late Province of Canada, and was continued by the Dominion after Confederation. It had always been a moot question whether the Dominion could so well maintain that force as the local authorities. In the United States where there was a federal system like our own, each State has its own staff. This was a matter he had thought of for some time and, in the meantime, the Government had not arrived at any decision on that point. A considerable portion of the service that would naturally fall to the geological survey would be performed for some time by the engineers and survey ors of the Pacific

Railway and partly by the surveyors employed in the North-West survey. It was proposed, for instance, in the surveying expedition which would be sent to the North-West beyond the bounds of Manitoba to establish base lines from which surveys might be extended to the north and to the south, a florist would accompany them. Steps were taken last year to bore at several places on the Pacific Railway where good water was somewhat scarce. Two important objects were to be attained—one to get a supply of good water from artesian wells, the other to get accurate information as to the strata underneath and the various depths of rock or coal which might be pierced. The amount, therefore, which appeared to the credit of the geological survey would practically be supplemented in the manner he had stated, and the Government would be able in that way to assist materially in extending researches into the geology of that quarter. It would be for Parliament afterwards to consider whether it was better to establish this branch as a permanent part of the civil service of this country.

Hon. Mr. TUPPER hoped the Government would hesitate very long before deciding to throw this work upon the Local Governments. The Provinces had not that direct pecuniary interest in the work as the General Government had.

Hon. Mr. LAIRD stated what had been done by the geological staff in the North-West last summer. The increase in the vote this year was chiefly to enable them to increase salaries.

Item concurred in; also items 133, 134, 135 and 136.

On item 137, grant for Meteorological Observatories, including instruments and cost of telegraphing weather warnings, $37,000,

Hon. Mr. MITCHELL said he knew from his own experience in the Department of Marine and Fisheries that this amount was not sufficient to place our telegraph warnings on a proper footing.

Hon. Mr. TUPPER suggested the propriety of laying a submarine cable between Nova Scotia and Sable Island, a distance of eighty miles, such a cable would be the means not only of giving notice of storms coming from the direction of Sable Island, but would save the Government a great expense in having to send out steamers to ascertain if there were any wrecks on the Island in the case vessels were delayed. A great deal of property might yearly be saved if prompt communication was had with Sable Island.

Hon. Mr. MACKENZIE said he would make a note of the suggestion, but he doubted if such a cable would be of much service in giving warning of storms, as they already had telegraphic communication with Newfoundland. With regard to the saving of wrecks, it might be of some service, and at any rate the Government would make inquiries as to the cost.

Item concurred in; also items 138, 139 and 140.

On item 141, St. Catharines Hospital $500, and Kingston Hospital $500,

Mr. NORRIS said this amount, which was all Ontario received, seemed to be very small compared with the amounts granted to Marine Hospitals in the Lower Provinces. Last year a grant was given for the building of the St. Catharines Hospital, but the work was not completed, and he hoped that it would not be forgotten in the supplementary estimates.

Hon. Mr. MACKENZIE said it should be remembered that the Lower Provinces largely contributed to the Marine Hospitals, whereas no contributions were levied on the lakes for this purpose.

Hon. Mr. MITCHELL said when the Act was passed, the representatives from Ontario objected to having the upper lakes included in it because they did not wish to have to pay the contributions. He would advise his hon. friend from Lincoln to have Ontario included in the Act, so that a contribution might be levied on the shipping of the lakes for the purpose of maintaining Marine Hospitals.

Mr. NORRIS said he did not ask anything for maintenance, but only for the completion of the building.

Item concurred in.

Items from 143 to 149, inclusive, were passed without discussion.

On item 150, under the head of Indians,

Mr. PATERSON desired to impress upon the hon., the Minister of the Interior, the necessity that existed for the revision and codification of the Indian laws, and also with respect to the desirability of the enfranchisement of the Indians. At a very large gathering of representative

Indians, held after the last session of Parliament—during which session a committee was appointed to inquire into the condition of the affairs of the Six Nation Indians—the Indians resolved to ask the department to extend to them the right of enfranchisement. No more important subject could engage the attention of the Cabinet than that of Indian enfranchisement, and the hon. the Minister at the head of the affairs of the department was competent to carry through a measure of that character. It was an anomalous position of affairs that while this country offered inducements to persons of any nation, clime and color, political rights and freedom, the Aborigines, many whose education was of a higher standard than that of immigrants, were, by the action of the Indian laws, denied the rights of freemen. The Indians themselves desired enfranchisement—the interests of the community demanded it. He warmly pressed this question upon the attention of the hon. the Minister of the Interior, and the Government.

Hon. Mr. MACKENZIE said the hon. member for South Brant was informed the other day that whatever had to be done with the Indians must be done with their consent. The President and one of the leading members of what may be called the Indian Parliament, visited Ottawa two or three weeks ago and asked the Government not to propound any measure this session, because they wished to have further time for consultation during the coming season, in order that the Bill might be prepared, submitted to their own council and their own people, for the purpose of obtaining their opinion upon it. After such an appeal it was out of the question to proceed with any measure which his hon. colleague, the Minister of the Interior, might have in contemplation. He quite agreed with the member for South Brant as to the general desirability to deal with this question, and as to the high character of many of the Indians, especially in the West. A more peaceable and orderly population it was difficult to have, and many of them were men of great intelligence and learning. The Government hoped at the next session to be able to present a satisfactory measure to the House.

The item was concurred in.

Items 151, 152, 153, 157, 158, 159, 160, 162, 163, 164, 165, 167 were concurred in.

On item 169 for Customs,

Mr. McCALLUM suggested that the offices of Collector of Customs and that of Canal Tolls could in many cases be advantageously combined. The Collector of Tolls at Port Maitland should also be appointed Custom House Inspector.

Mr. THOMPSON (Haldimand), supported the suggestion of the hon. member for Monck.

Hon. Mr. MACKENZIE said it was difficult to discharge officers at present employed, and until vacancies occurred the suggestion could scarcely be carried out.

Mr. KIRKPATRICK asked for explanations in respect to an appropriation of $10,000 to cover appointments, promotions, &c.

Hon. Mr. BURPEE said he did not perceive the necessity of placing this amount in the estimates in this shape; but it had been so inserted in previous years.

The item was concurred in.

Items, 170 to 175 inclusive, were concurred in.

On item 176, salaries of Canal Officers, $35,170,

Mr. ARCHIBALD called attention to the fact that while the increase in the salaries of the men on the Cornwall, and other canals had been increased, that increase had not been extended to the men on the Williamsburg Canal. He hoped this matter would be attended to.

Hon. Mr. MACKENZIE said that he had called the attention of the chief engineer to this matter at the instance of the hon. gentleman, and the salaries of those men would be placed upon the same footing.

Item concurred in; also items 177 to 183 inclusive.

Hon. Mr. TUPPER asked when the subject of the Canadian Pacific Railway would be brought up, and in what way.

Hon. Mr. MACKENZIE said it was the intention of the Government to ask the concurrence of the House in the contract that had been let for the Georgian Bay Branch. He intended to give a full statement of the progress of the work on the vote on the estimates for the Pacific Railway. He hoped to be able to take up those estimates to-morrow.

Hon. Mr. MITCHELL said he noticed in a leading newspaper the statement that

Mr. FOSTER, who was a contractor on the Pacific Railway, had resigned his seat in the Senate. Was that statement true?

Hon. Mr. MACKENZIE said as a matter of Parliamentary etiquette, he must decline to answer any questions respecting the Senate here; but it was a fact that Mr. FOSTER was a contractor with the Government.

Hon. Mr. TUPPER said there was no etiquette to prevent the Premier answering a question respecting any one who had ceased to be a Senator.

The House then adjourned at one o'clock.

HOUSE OF COMMONS,

Friday, March 5th, 1875.

The SPEAKER took the chair at three P. M.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:—

Mr. FORBES—To amend the Act to make better provision for the inspection of certain staple articles of Canadian produce.

Mr. BABY—To amend the Act incorporating the Intercolonial Express Company.

QUESTION OF PRIVILEGE.

Mr. MASSON said he desired, before the orders of the day were called, to draw the attention of the House—having given due notice to the Premier—to a question that related to the completeness of the journals of the House. It would be remembered that on the 26th of last month, on the second reading of the resolution relating to the Menonite loan, he moved an amendment. That amendment was sent to the SPEAKER, and read by him. Ojection was taken to it by the Premier that it was out of order, and the SPEAKER declared it out of order, and it did not appear on the journals. He (Mr. MASSON) had on a former occasion stated that in his opinion a motion having been made, and put in the SPEAKER's hands, and read by him, whether put to the House or not, should be entered upon the journals of the House. He referred at that time to several precedents, showing that it was the practice of this House to enter upon the journals every motion that was declared out of order—not only those motions upon which the written opinion of the SPEAKER was asked, but every motion that was declared out of order. It was stated that it was the practice in England to enter upon the journals no motion that was ruled out of order. He had taken the trouble to look into the matter, and he found that it was the practice in England, or at least it had been frequently done, to enter upon the journals motions declared out of order. One case in point happened in 1857. A motion was made to add one more to a committee which the rules of the House had fixed at sixteen and the full number had previously been appointed. The SPEAKER refused to put the motion on the ground that the number could not be exceeded until the House changed the rule fixing the number at sixteen. However, on the journals there appeared the following entry:—

"A motion was made and the question was proposed, That Sir JOSEPH PAXTON be added to the select committee on rating the mines. But notice being taken that the House had ordered that this committee should consist of sixteen members, and had already nominated that number, Mr. SPEAKER stated that no other member could be added, without leave of the House previously obtained, and that the question therefore could not be put."

In 1860, a motion was made which was even more evidently out of order. A Bill had been sent up to the House of Lords and returned with a certain amendment. It was then moved that an addition be made to the Bill, which was clearly out of order and was so declared. Nevertheless there appeared the following entry in the journals:—

"The House according to order proceeded to take into consideration the amendments made by the Lords to the Ecclesiastical Commission, &c. Bill, * * *

"An amendment was proposed to be made thereunto by adding at the end thereof the words: 'In all cases where any schemes are proposed by the Ecclesiastical Commission by which the incomes of any Ecclesiastical dignitaries are altered or increased the same shall be laid before the two Houses of Parliament six weeks at least before they are submitted to HER MAJESTY in Council. But the said amendment not being consequent upon a relative to the amendment made by the Lords, the same was not put by the Chair. Then the amendment made by the Lords was agreed to,"

It appeared clear, therefore, that in England motions sent to the SPEAKER and

read by him though, not put to the House on account of their evidently being out of order, were entered on the journals. That practice he thought was based upon sound principle, because it enabled any member to place on record his views on certain subjects which otherwise he would not be able to do. It had been objected to that practice that motions might go upon the journals which were insulting to the House, or derogatory to its dignity; but any such motions could by a vote of the House be expunged from the journals. He felt it his duty to call the attention of the House to this subject, and if the correction of the journals by the insertion of the amendment he had made was not permitted, he would, following a precedent established in 1864, move that the journals be corrected in the way he had indicated.

Hon. Mr. MACKENZIE said there could be no objection to the hon. gentleman putting himself right, and obtain a correction of a wrong if wrong had been done him, but if any hon. gentleman could get whatever he pleased on the journals, such a course would be open to very grave objections. MAY states that if any motion or amendment be moved in contravention of the rules of the House, it should not be put, and a motion that is not put should not go upon the journals. The hon. member for Terrebone knew perfectly well that his amendment was out of order, but he submitted it in order to have it put on the journals. It was quite evident that it would be a very inconvenient practice if an hon. gentleman could get any kind of motion he pleased put on the journals. Cases had occurred in England —he spoke purely from memory—in which motions declared out of order by Mr. SPEAKER, were not entered on the journals. If this House were to establish the rule that all motions placed in the SPEAKER'S hands must find a place upon the journals of the House, it would give rise to very grave abuses, which they were bound to guard against.

Hon. Mr. HOLTON said our practice had not been by any means uniform on this subject. Formerly the doctrine enunciated by the Premier was acted on with very great rigor, and he knew that on several important occasions, as he deemed them, for instance, during the debates on confederation in Quebec, in order to have certain views of his on the journals, he was driven to the vey extreme course of appealing from the SPEAKER'S decision. Of course when an appeal is made the yeas and nays are taken, and the matter must be entered on the journals. Under Mr. COCKBURN—and, he was bound to say, partly through pressure from himself—the practice was somewhat changed. If a motion derogatory to the dignity of the House should be made, Mr. SPEAKER, as guardian of the dignity of this House, would refuse to put it, and it should not be entered on the journals. But when, as in the case under discussion, a motion was made, not obnoxious to the House, though out of order, the better practice would be to allow it to appear upon the journals. His suggestion was that the hon. member should not be required to make any motion, but by common consent, or by the connivance of the House it should be placed on the journals with Mr. SPEAKER'S decision.

Mr. KIRKPATRICK said it was not necessary to go back several years to see that the practice was not uniform. Last Wednesday the motion with reference to the petition of Messrs. FRASER, REYNOLDS & Co. was ruled out of order as in the other case, yet it appeared on the journals.

Hon. Mr. MACKENZIE referred to a decision by Mr. COCKBURN on August 13th, 1873, when he (Mr. MACKENZIE) placed a motion in his hands in order to test this very matter, and have an entry of it made on the journals. It was not put to the House and there was no trace of it on the journals.

Hon. Mr. MACKENZIE thought the best course would be to leave the matter in the hands of Mr. SPEAKER in order that he might look into the precedents, and if he arrived at the conclusion that it was a motion which ought in ordinary practice—he would not say universal practice—to be entered on the journals of the House, he would direct the correction to be made.

Mr. SPEAKER said he had already looked into the case, his attention having been called to it a few days ago. He had consulted precedents, and was satisfied that it was a motion that might be entered on the journals, but whether it was obligatory or not, he was not prepared to say.

Mr. MASSON expressed himself ready to accept the proposition of the hon. the First Minister.

Hon. Mr. CAUCHON suggested that a small committee should be struck which should decide the point and prepare a standing order.

Hon. Mr. HOLTON objected to any cast-iron rule being laid down by a committee, because it would prove inconvenient in practice.

Mr. SPEAKER said that in this particular he took it to be the sense of the House that the motion should be entered on the journals, and he would therefore direct the correction to be made.

SICK AND DISTRESSED MARINERS.

Hon. Mr. SMITH moved that the House resolve itself into a committee of the whole on Monday next, to consider the following resolutions:—

That it is expedient to amend the Act 31 *Vict.*, Cap. 64, respecting the treatment and relief of sick and distressed mariners, and to provide that the word "year" in the said Act shall mean the calendar year, commencing on the 1st January; and that vessels now liable to the payment of the duty imposed by the said Act twice in any one year, shall hereafter be liable to pay the same three times in any one year, under like conditions.

Motion carried.

MASTERS AND MATES.

Hon. Mr. SMITH moved that the House resolve itself into a Committee of the Whole on Monday next, to consider the following resolutions:—

1. That it is expedient so to amend the Act respecting certificates to masters and mates of ships as to make it apply to ships over eighty tons register, and to ships going to sea on a voyage to any port or place out of Canada.

2. That it is expedient to make provision for the examination of masters and mates of inland and coasting ships, as regards ships of over eighty tons register, and voyages commenced after the first day of April, 1876.

The motion was carried.

INSPECTION OF INSURANCE COMPANIES.

Hon. Mr. CARTWRIGHT moved that the House resolve itself into a Committee of the Whole on Monday next, to consider certain resolutions providing for the appointment of an Inspector of Insurance Companies and the scale of fees to be charged under the Bill (No. 67) to consolidate and amend the several Acts respecting insurances, in so far as regards fire and inland marine business.

Motion carried,

THE PACIFIC RAILWAY.

On motion of Hon. Mr. CARTWRIGHT, the House resolved itself into a Committee of Supply, Mr. SCATCHERD in the chair.

On item 72, $6,250,000, for Pacific Railway,

Hon. Mr. TUPPER asked the hon. First Minister to furnish the House with full information respecting the present position of the Pacific Railway, as promised.

Hon. Mr. MACKENZIE said Mr. Chairman: the details given on pages 29 and 30 are not quite explicit as they should have been, and a fuller detailed statement will be prepared and submitted to the House before concurrence is taken. It may be convenient in the first place that I should go very briefly over the operations of the last year, and then indicate more in detail than it is possible to do in the pages of the estimates what the Government propose to do in furtherance of this work. Last year we took an estimate altogether, as will be seen, of about two and a half millions of dollars. At that time we were quite uncertain what arrangements might be made with British Columiab. We proposed at that time, if satisfactory arrangements could be made with that Province for an extension of time in accordance with the negotiations entered upon, to proceed immediately with the construction of the road from Esquimault to Naniamo, and in that case a very large expenditure would have been necessary, as we should have done a very large proportion, including the rails of that portion of the road, within the financial year. These arrangements, however, fell through, and although an ultimate arrangement was reached by which that work will be prosecuted after this, at that time there was nothing to justify us in refusing to make such preparations as might be needed in the event of our coming to some terms with that Province. The result, therefore, of last year's operations was practically this—we expended up to the first of this month $356,000 upon works in connection with exploratory and instrumental surveys. In order, sir, to place the House in possession of the present state of the surveys and their location, I will give a brief summary of the year's operations. I regret that it has not been in the power of the Government to pub-

lish some short report of the operations of our engineers during that period. This, however, proved to be impossible, for it is only within the last two or three weeks that the last of the parties came in, and they have been busily engaged since in plotting the results of the year's labors upon paper, and in preparing a detailed report of their operations. The vastness of the country which the parties have had to traverse and the extreme difficulties which they have encountered in various ways amply account for the delay in preparing at so early a period of the year a report of the operations of the past year. Early in the season a party was detached to make an exploratory survey from Lac la Hache via River Blue to the North Thompson, about the very centre of the Columbia region, with a view to ascertain the practicability of cutting off the bend west of the Lac la Hache to where it strikes the Thompson River, by following nearly a straight line across that angular part of country enclosed by the North Thompson and a portion of the Fraser River to the east and north in the neighborhood of Clearwater Lake. When the surveyors returned last year there was every probability of a favorable route being obtained through that part of the country. The result obtained this year has, however, proved so unsatisfactory, chiefly on account of the high altitude to be passed over, that any further expenditure in this direction was deemed inadvisable. A re-survey was made of the most difficult portions of route No. 4 which hon. members will find laid down as the connecting branch from Clearwater to Bute Inlet via Lac la Hache to the River Fraser below Soda Creek, and from this it appears that the heavy work referred to in last year's report may be considerably reduced, the gradients improved and the distance shortened. An exploration has also been made through the mountain chain between Lake Clear Water and the valley of the North Thompson on route No. 5, by which route it was confidently hoped a direct route from Tete Jaun Cache to Bute Inlet would be obtained. It has been established that the route is quite impracticable, the heavy range of mountains, running from north to south, rising in some places exactly across the route to be traversed, to a height of from 7,000 to 8,000 feet above the sea level, and proving a natural obstacle which was deemed quite insurmountable without a very extensive work of tunneling. A complete instrumental survey has been made from Tete Jaun Cache down the valley of the Fraser River, that is following the north bend of the Fraser by what is known as route No. 6, down to Fort George, where the Nechaco river falls into the Fraser. At that point it diverges somewhat west, but still following the valley of the Fraser, but ascending the Tete Jaun Cache. The distance from Yellowhead Pass to Fort George is 245 miles, with extremely favorable gradients and light works of construction. This result is obtained, as I remarked, by following the sinuosities of the Fraser river in a general way, and after leaving the Fraser river the route is marked No. 7, although it is No. 6 down to a certain point called the Old Fort. A survey was projected from Fort George across the Chilcotin country to connect with Lake Tatla with the surveys made in 187 to Bute Inlet. The whole distance from Fort George to Bute Inlet is about 305 miles, but a small portion of that route is still unsurveyed, being a portion of the country at the head of Nechaco river, a distance of fifty or sixty miles. Except over this small distance there is no practical difficulty whatever to be encountered in passing through the country, following the valley of the Fraser as I have stated, and this gap is being at present surveyed by a party on snow-shoes ; the only reason for doing that is to enable the Government at once to determine whether this part of the route presents any formidable physical obstructions, for if it does not, we shall then be able to locate at once the whole of the line through British Columbia, if we decide to adopt this route. We have no reason to believe there is any serious obstruction in those fifty or sixty miles of country; but as the engineers were formerly deceived by the loose reports of Indians about the Clear Water country, it was thought best not to assume that no difficulty existed, but to make ourselves certain as to the true facts, we sent a party through the country to make surveys. If these prove as satisfactory as we expect, then the only difficulty to be encountered between the waters of Bute Inlet and the passes of the Rocky Mountains is simply

the descent to the sea by the Homathco Pass. That undoubtedly presents a very serious obstacle, although it is possible to obtain a grade of from 110 to 115 feet to the mile—one of the most favorable passes obtained through the Cascade Range. There are about fifteen miles of this grade. No other position of the route all the way to the passage of the Rocky Mountains presents any physical difficulty whatever, except the general fact of its extreme remoteness from settlement and the trouble and expense of affording supplies to those engaged on the work. In order to make a comparison in point of cost between the different possible routes in British Columbia, it was deemed important, amongst other things, to have an exact survey made of an average portion of the canyons of the Lower Fraser. The valley itself is sometimes contracted to about a mile or two in width from bank to bank, sometimes it presents precipitous sides of almost perpendicular rock, and at other times it is intersected by deep ravines running across its course in a lateral direction. Accordingly, a trial location survey, with numerous cross-sections was made from vale upwards, for a distance of fifteen miles. These measurements are now being reduced to paper, and the quantities of every kind of work are being ascertained, with a view to an approximate estimate being made. I will only remark, with regard to the Fraser Valley, that it presents by far the most favorable route surveyed so far, in respect of shortness of distance and easy grades. The great difficulty to be encountered is in these deep canyons, where we will occasionally have to make extensive tunnels in some places; in others we will be under the necessity of erecting large retaining walls, besides bridges over chasms and extremely difficult cuttings in the sides of the precipitous rocks. An instrumental survey has been made from Yale to Burrard Inlet, in order to complete the chain of measurements to the latter point, from Yellowhead Pass to the Pacific tide-water. The plans and profiles of this section are now being prepared. A thorough examination of the country easterly from Fort Hope has been made with the view of obtaining definite information respecting the passes reported to exist in that quarter. This is the portion of the country which lies towards the boundary of the United States on the south-eastern side of the Lower Fraser. The region of country lying between the Pacific coast, north of Vancouver Island and Fort George, and hitherto unexplored, has been examined in different directions, and much valuable information has been obtained. Several passes through the Cascade Chain, from Dean and Garden Inlets, have also been explored, but no route entirely favorable for the railway has yet been reported, But even if it had been found favorable, any route so far north as this is open to the serious objection that it would reach the Pacific from fifty to sixty miles north of the northern extremity of Vancouver Island ; it would be entirely beyond the present populated portion of the country, which is further to the south ; and it would be so situated that we could scarcely hope to compete for certain branches of the trans-continental trade which a more southerly line would secure. The route referred to as No. 7 in Mr. FLEMING'S report is probably the shortest reaching the head of the North Bentick Arm, but a portion of it is yet unsurveyed, and we are not able to ascertain whether it would be available or not. As I have said, it would be the shortest route to the ocean, but it would be opposed to local interests in Columbia, and would be beyond the reach of the inhabitants generally, if we except one or two places. The country through which it would pass is a very favorable one as regards grades, but we are scarcely in possession of sufficient information as to the duration of the winter, the depth of snow, and other matters of that nature to enable us to form a very correct idea of the adaptability of the country to sustain a very great population. In order to exhaust the exploration of the passes through the Rocky Mountains an expedition was organized to cross by what is known as the Smoky River or Pine River Pass, located between the Peace River and the Yellow head Pass—perhaps about half-way between them. If this pass should turn out to be favorable, and the North Fraser route should be attempted, the line would pass almost directly through by the north bend of the Fraser, and, after getting over the pass, would diverge southwards toward Fort Edmonton, where it would strike the other line. This expedition left Fort

George in December last, so soon as the ice was sufficiently firm on the river to admit of travelling, and we expect they will arrive in Fort Garry some time during next month. This will enable us to have a complete survey of the Rocky Mountain chain, from the Peace river southward. Captain BUTLER passed through the country by that route, and so have several other gentlemen whose experiences have been given to the world; and from their evidence and the other sources of information at our command we know that while that route is tolerably favorable for the greater part of its course, it is intersected by immense valleys, perpendicular to the course of the river which would make it a very difficult route so far as cost of construction is concerned, although there is no doubt that it passes through a country, a great portion of which is extremely favorable for agricultural operations. I have made these general remarks as to the the exploration in British Columbia, because I know there is an impatience on the part of some of my hon. friends from that Province, and perhaps with other members of the House and a portion of the public, that the explorations have not been completed; but it was impossible to have had it done. Indeed, it would have been quite wrong to have hurried the surveyors any more than we did, because it is of the greatest importance, in constructing a great national highway, that we should have the fullest information as to the conformation and resources of the country, its topographical and physical features considered in relation to the maintenance of human life, &c., and before it is commenced, we should be reasonably sure that we have secured the best route as regards ease of construction, the shortest distance, and the best quality of land surrounding it, as to the progress made in the woodland and prairie region, the line of railway has been located for construction between the waters of Lake Superior at Fort William and Lake Shebandowan, about 45 miles. Plans, specifications, and quantitities, have been prepared, and tenders for bridging and grading have been asked for and received; the rates being somewhat less than the cost estimated by the Government. These tenders I will explain to the House by and by.

Hon. Mr. TUPPER—Will the First Minister be kind enough to say what engagements have been made with British Columbia.

Hon. Mr. MACKENZIE—I intend to go back upon that as an entirely separate branch of the subject.

The railway has been located for construction between the northern extremity of Lake of the Woods at Rat Portage and the crossing of the Red River. Tenders for bridging and grading are now asked, and we expect on the 17th of this month to be able to lay the tenders for that portion before Parliament ere it rises, in terms of the Act of last session. The distance is about 114 miles.

I may say with regard to this portion that when Mr. FLEMING first travelled over the line he crossed the Red River in the vicinity of Winnipeg and passed to the south of Lake Manitoba and then northward after passing White Muck River till he reached the flank of the Duck Mountains near Fort Pelly, thus making Fort Pelly the objective point westward from Red River. But subsequent information led us to decide upon a different route altogether. We determined for various reasons to cross Red River some twenty-three miles north of Winnipeg. Our reasons for doing this were these. In the first place, no steamers navigating Lake Winnipeg could ascend the Red River at all times to where the crossing was originally proposed. We crossed therefore where we can reach the railway by steamers of any draft that can navigate Lake Winnipeg. Lake Winnipeg presents a very large area, and it is reasonably hoped that a large shipping trade will be done upon it before many years, it having a navigation of nearly two hundred miles from north to south besides various bays and indentations on both sides. The mouth of the Sascatchewan is considerably north of the mouth of Red River, and whether that river may be made navigable into Lake Winnipeg or not there can be no difficulty about having a tramway from the still water of the Sascatchewan to Lake Winnipeg, and any trade coming in that direction would reach the railway by steamers sailing southward to Lake Winnipeg and the crossing of Red River. Another reason was this: We found on exploring the country between Red River and Fort Pelly that

we could pass almost in a direct line between these two points by crossing the Narrows of Lake Manitoba. That lake is contracted near its centre to the width of an ordinary river, and as the water is shallow there will be no difficulty whatever in bridging this narrow portion of the lake. The distance from Red River to Fort Pelly is 280 miles, and of that distance there are only—so far as we know at present, and I think we have information of nearly the whole of the route—about eighty miles of prairie, the remaining 200 miles passing through an exceedingly fine woodland country, where the best timber is to be found as has yet been discovered in any portion of the North-West country. We have in this tract of land the very finest tamarac and spruce that are to be found anywhere in our North-West territories. and, on the whole, it presents the most favorable features possible for the construction of a railway. The gradients are easy, the line is direct, and the timbers and the land are of the finest. It is quite true that this change of route caused some disappointment to the people of the town of Winnipeg and those living south-west of Lake Manitoba, where it was originally supposed the railroad would pass; but we cannot allow the general welfare of the public to be sacrificed for the benefit of a locality; and the committee will see it would be very seriously sacrificed if the former route was adopted. When I tellthem the route we have adopted is thirty miles shorter than the one originally proposed, and we will save, at the very least, $1,100,000, by taking the route we have taken—a route which we are led to believe passes through at least an equally favorable country. It will be remembered that very serious objections were made by many members at the last two or three sessions of this House to constructing the road from Nepigon eastward to Lake Nipissing through a country entirely uninhabited and believed to be practically impossible of settlement; and, at all events, whether that should be ultimately constructed or not, the polity of the Government, and of the House, was to leave that portion of the road in abeyance for the present, and to proceed with such intermediate stretches as would enable us to make land and water communication across the continent within the shortest possible time. Well, Sir, in pursuance of that policy the surveys from Lake Superior westward were completed with all possible expedition, and the portion of it requisite to obtain rapid communication from water to water are now being placed under contract. But I have always felt that it would be desirable, as soon as possible to obtain the eastward connection also, and though having no intention to move at present in that quarter, I thought it was advisable last spring to obtain some information respecting the country from the mouth of Nipegon river eastward. Accordingly, a party of engineers were engaged to examine the country between the mouth of Nipegon river and Michipicotan river with the intention that the exploration should be continued from that point to Batchewana and Goulais Bays, near the lower end of Lake Superior, and if it were possible to obtain a route along the front of Lake Superior it would tend greatly, we hoped, to shorten the distance and pass through a country otherwise much more favorable in point of mining and settlement than and mountainous ridge that fringes Lake Superior. This party succeeded only in reaching Pic River, a distance by the route surveyed, of something over one hundred miles, though the direct distance is only about eighty miles, showing an increase by curvage of forty to fifty per cent. If this route should turn out ultimately to be one that might be adopted, it might diverge from the north-east of Pic River by the south side of Long Lake, instead of north of Long Lake, as shown in the projected line laid down by Mr. FLEMING. In this respect we would be able to shorten it very materially, even if we should land in the valley of Montreal River, north of Lake Nipissing, and come down the valley of the Ottawa as originally contemplated. I mention this simply to show that the Government have given their closest attention to the examination of that country as preliminary to any possible future action, but not with a view to taking any immediate action. One of the most important things to be looked to in opening up our North-West country is to obtain speedy means of ingress from Lake Superior. It is felt that it is extremely difficult for us to pour a large population into that country, when the expense of transport from Fort William westward is so great; and it is

deemed advisable that we should not be driven, for any length of time, to pour a tide of emigration through any portion of the United States, in order to reach our own territory. In addition, therefore, to the railway surveys from Lake Shebandowan to Lake Superior, a distance of 45 miles, and from Red River to Rat Portage, a distance of 114 miles, we have felt it desirable to make correct surveys, during the season, of the intervening distance. The entire distance from Red River to Lake Superior is in round numbers, 430 miles by the DAWSON route. Of this we have surveyed and located a line and asked for tenders for 155 or 160 miles. This leaves a distance between the two points of 270 miles. Of that distance we will be able, by constructing two cheap wooden locks at Fort Francis, to obtain from Rat Portage uninterrupted steam navigation for a distance of nearly 200 miles to Sturgeon Falls at the east end of Rainy Lake. From this point eastward towards Lake Shebandowan, although there is a continuous water navigation with a number of small *portages*, still the country is, on the whole, tolerably favorable. It is now being surveyed by parties sent out some little time ago, in addition to the surveys prosecuted some time since. It is possible from Shebandowan Lake to Sturgeon Falls that a favorable route may be found for the early construction of the railway, and, if not, we hope to be able to shorten the distance materially of the route now travelled. We hope within two years or two and a-half at the outside, that we will have a railway finished at the eastern and western ends, and with these and the locks at Fort Francis we expect that the distance altogether may be traversed in four or five days at the outside, that now takes on the average from nine to twelve days. It will be remembered that the plan of the Government as developed last session and adopted by the House unanimously, was what I have stated, and makes a line of land and water communication as speedily as possible. The western portion of Ontario, in fact, nearly all the Province, is in easy communication with various ports on Lake Huron and Georgian Bay, so that they have tolerably direct water communication from the *termini* of the various railways, say at Collingwood, Owen Sound, Southampton, Kincardine, Goderich and Sarnia. Railroads converge at all these points and steamers ply from them on the waters of Lake Huron and Lake Superior. But it was felt a more direct line of communication, in order to suit the great cities in Lower Canada and the eastern Provinces should be had by ascending the Ottawa Valley and reaching the most favorable point on Georgian Bay by as short a route as possible. It was, therefore, provided in the Act of 1874 that the Government should construct a branch from some point south-east of Lake Nipissing to Georgian Bay, and that they should have authority to subsidize a line connecting with that road at the most favorable point. In accordance with that intention and that decision of the House and the Act passed by Parliament, explorations were made of a comparatively slight character no doubt —mere explorations. One party was sent to make an exploration from Carleton Place to Parry Sound, which was represented as one of the most favorable routes. Another party was sent to examine the country in the neighborhood of the Meganatawan, known as Byng Inlet, on Georgian Bay, and from the mouth of French River, situated north-west of that point, to traverse the country eastward. We found that while a road from Carleton Place to Parry Sound could be built that it would serve local interests more than serve as a true national route, and we found also that the route from French River eastward presented much more favorable physical features than any other part of the country that had been visited. We, therefore, fixed upon that part as the terminus for two or three reasons—for the reason just assigned in the first place, and in the second place for the reason that if the road should be continued westward thus 85 miles that would be built by the Government as a Government work will be, generally speaking, in the line to be followed, and which may be carried out whether we pass slightly north-east of Sault Ste. Marie ultimately or diverge northwardly by the route to Long Lake, and passing from the south of Long Lake to Pic River, or by the north of the lake, where the surveys of last season terminated. The line that has been located from French River eastward is as direct a line as can be drawn upon the map down the valley

of the Ottawa to the city of Montreal. Hon. gentlemen will observe by the contract which has been laid on the table and the Order in Council granting $12,000 a mile to the Canada Central, that a subsidy is given to this road to construct the line from where the Government line terminates 85 miles east of the mouth of the French River, east to a point in the vicinity of the village of Douglas. That is, in other words, between Douglas and Pembroke, at a point that will be determined by investigation of the Government engineers, which will suit for crossing the river by the Northern Colonization Company's road in that quarter. This will give the Northern Colonization Company precisely the same privileges as the Canada Central will obtain, and when the Kingston & Pembroke road is built they will also be secured in the same privileges. These privileges are simply that trains starting eastward from Montreal, which pass over their own lines to the crossing of the Ottawa River, will pass over the line nominally owned by the Canada Central, and have the same right of travel on that line as the trains of that company. Both lines are again secured the right of passage over the line being built by the Government from the point of intersection westward, thus securing to the fullest possible extent the rights of all companies, and securing the most direct possible communications from the east to the west. I may allude for a moment, in passing, to several interviews that I had the pleasure of holding with many gentlemen interested in the Northern Colonization Company, and also with certain public men, members of Parliament, and others, in relation to this matter. Their contention was this—that the proper line to adopt was to follow the Ottawa River on the northern side until opposite or nearly opposite the mouth of the Mattawan River, and thence in as direct a line as possible to the mouth of French River. This would have made a line from Montreal some twenty miles longer than the plan we have adopted, and also, so far as our information leads to a conclusion, a more expensive line than the one ultimately adopted by the Government. I am happy to say, at the interviews held, nearly every one interested was satisfied with the entire correctness of these statements. Now, I propose saying a few words about the contracts which have been and are being let at this moment. They will all be let this month. Gentlemen will remember that in both Pacific Railway Bills provision was made for building a line from Pembina to the neighborhood of Fort Garry, there to connect with the main Pacific line. It was early foreseen by me that it would be a matter of extreme importance to get into Fort Garry with a line of railway as soon as possible, because, if we are to commence the construction of the railroad from Red River eastward immediately, it is of great importance that we should have some way of getting in rails, rolling stock and other heavy material required for the building of the road. Owing to the extreme depression in financial circles in the United States, and the extreme depression of railway stocks in particular, the lines in course of construction in Minnesota have come to a complete stand-still. One line was projected towards St. Vincent, on the east side of the Red River. This road was graded to within 13 miles of the frontier. It was ironed to within 63 miles of the frontier, but still there was no traffic on the road from Glyndon northward. In order to stimulate these people to proceed with the line to the boundary we thought it advisable last summer to place the grading of the Pembina branch under contract. Tidings came to us of probable distress to the colony in consequence of another visit of the grasshopper plague. That visit, I am happy to say, turned out to be much less disastrous than was anticipated, but the first news was of so serious a character that we thought it desirable to proceed with the work at once, in order to furnish labor to such of the population as might be rendered destitute by the depredations of the grasshoppers. Tenders were accordingly invited, and the lowest was accepted, being that of JOSEPH WHITEHEAD, which was 22 cents per yard. He has already graded several miles, and will be able to grade the entire distance of his contract—about 48 miles—on or about the 1st of July next, and, as soon as it is possible to obtain access by means of the lines constructed in Minnesota, we will be able to proceed with the construction of the road. The distance to the connection with the main line where it crosses Red

River is 32 or 34 miles from the end of the section already under contract, and this will be let early in the spring.

Hon. Mr. TUPPER—Is there any prospect of connecting with the Minnesota line?

Hon. Mr. MACKENZIE—I am sorry to say there is no prospect yet, but I understand from gentlemen from Winnipeg that they ascertained in passing through Minnesota it is likely some legislation will take place this winter which will stimulate the prosecution of this work. We only let the grading upon this line because we thought it advisable while proceeding thus far not to proceed any further until we could get a general contract let for the entire line where we propose to build it now, which would cover all the more expensive parts of construction. For the same reason we are only letting the grading and bridging from Fort William to Shebandowan and the same from Rat Portage to Red River. The hon. gentleman asked me if I could give a general idea of the cost of grading this 45 miles.

Hon. Mr. TUPPER—I asked for an estimate of the cost of construction altogether.

Hon. Mr. MACKENZIE—I am not able to give that, but the cost will not be heavy. The grading and bridging will not be far from $400,000. Of course this includes everything except ballast, ties and rails. Now, I propose to give to the House some detailed information of another branch of the subject. Early in the season, or about midsummer, when we found the price of iron and steel rails were getting very low in the English market, we thought it would be advisable to invest a considerable amount of money in the purchase of rails which could be made available at the earliest possible moment on the road. We accordingly advertised for tenders for these steel rails.

It will be observed there is a sum of two millions of dollars asked for the purpose of paying for these rails. One reason that led us to adopt this plan was this:—From Fort William to Red River it was quite evident that that there could be no probability of obtaining any rails for construction purposes unless new rails were taken to those places. In the older parts of the country, where rails may be obtained almost at a few days notice, it is an easy matter to construct railways; but we felt it would be desirable to have rails on hand at Fort William and points on Georgian Bay, where they were to be used almost as soon as the works of construction commence, as the contractors will be able to avail themselves of the use of these steel rails. The lowest tenders for steel rails were accepted, I think to the extent of fifty thousand tons, at an average price, delivered in Canada, of about $54 per ton, being the lowest price at which steel rails have ever been sold since they were first made.

Hon. Mr. TUPPER—Will they be delivered in Quebec.

Hon. Mr. MACKENZIE—They will be delivered at Montreal. GUEST & Co., Liverpool, will deliver 5,000 tons at $54 per ton; the same firm will deliver 5,000 tons at $55.24; Ebbro Vale Co., 5,000 tons at $53.53; Mersey Company, 20,000 tons at $54.26; West Cumberland Company, 5,000 at $53.53; West Cumberland Company will deliver free on board of a vessel at a port in England 5,000 tons at $48.67; and NAYLOR, BERGON & Co. will deliver 5,000 in the same manner at $51.10, these latter rails being intended for shipment to British Columbia. The entire expenditure for steel rails is therefore about $2,665,500. We do not expect, however, that more than half of the rails will be delivered, and probably not half during the coming season. And as we are not sure of the precise amount that will be so delivered we make an estimate of $2,000,000 to cover the expenditure. The hon. gentleman has inquired in regard to the arrangements made with British Columbia, and I observe that my hon. friend beside me (Mr. BLAKE) has placed a question on the paper as to the course we propose to pursue in Parliament in relation to it. It will be observed by every one who has read the correspondence that the practical results obtained are these: After Mr. EDGAR returned from British Columbia Lord CARNARVON made an offer by telegram to arbitrate in the matter between the Dominion and the Province of British Columbia. We declined any arbitration as there was nothing to arbitrate upon, but we were quite willing as was stated in the Minute of Council to leave HIS LORDSHIP to say whether the Dominion had not offered what was under the circumstances the most reasonable and fair terms that

could be expected. Our views were, generally speaking, adopted by Lord CARNARVON but he suggested certain things that might be done. It will be remembered that we offered through Mr. EDGAR without at all committing ourselves to Esquimalt as the ultimate end of the railway to construct the railway from Esquimalt to Nanaimo, and as there would be no serious difficulty in locating the line we were willing to proceed with the construction of it at once—that is last year; and that we would prosecute the surveys on the mainland with all due despatch consistent with a proper regard for public interests, and further that we would expend the sum of not less than one and a half million of dollars per annum within the boundaries of that Province until the road should be completed. These terms, I may say, were declined, or rather they were not considered, but an issue was raised on the point as to whether Mr. EDGAR was authorized to offer them or not. I therefore terminated the negotiations by directing Mr. EDGAR to return, and leaving it to the Government of British Columbia to make any other proposals that they thought proper, we holding ourselves prepared to consider any proposition that might be made. Lord CARNARVON, as will be seen by the dispatches in the papers, considered that the grounds we took were quite reasonable; but he thought on the other hand that it would be more satisfactory to the Province, and that the Province might reasonably expect to have a definite period named for the completion of the line, and he put the case in his letter of the 17th November in this way:

"Adhering then to the same order in which, on the 16th August, I stated the principle points on which it appeared to me that a better understanding should be defined, I now proceed to announce the conclusions at which I have arrived. They are:—

1. That the railway from Esquimault to Nanaimo shall be commenced as soon as possible, and completed with all practicable despatch.

2. That the surveys on the mainland shall be pushed on with the utmost vigor. On this point, after considering the representations of your Ministers, I feel that I have no alternative but to rely, as I do most fully and readily, upon their assurances that no legitimate effort or expense will be spared, first to determine the best route for the line, and secondly to proceed with the details of the engineering work. It would be distasteful to me, if indeed, it were not impossible to prescribe strictly any minimum of time or expenditure with regard to work of so uncertain a nature; but happily, it is equally impossible for me to doubt that your Government will loyally do its best in every way to accelerate the completion of a duty left freely to its sense of honor and justice.

3. That the waggon road and telegraph line shall be immediately constructed. There seems here to be some difference of opinion as to the special value to the Province of the undertaking to complete these two works; but after considering what has been said, I am of opinion that they should both be proceeded with at once, as indeed is suggested by your Ministers.

4. That $2,000,000 a year, and not $1,500,000, shall be the minimum expenditure on railway works within the Province from the date at which the surveys are sufficiently completed to enable that amount to be expended on construction. In naming this amount I understand that, it being alike the interest and the wish of the Dominion Government to urge on with all speed the completion of the works now to be undertaken, the annual expenditure will be as much in excess of the minimum of $2,000,000 as in any year may be found practicable.

5. Lastly, that on or before the 31st of December, 1890, the railway shall be completed and open for traffic from the Pacific seaboard to a point at the western end of Lake Superior, at which it will fall into connection with existing lines of railway through a portion of the United States, and also with the navigation on Canadian waters."

So that the terms recommended by Lord CARNARVON, and which we have accepted, are simply these, that instead of one and a half million we propose to expend two millions a year within the Province of British Columbia, and we propose to finish the railway connection through that Province and downward to the point indicated by the year 1890, being an extension of time of nine years. With respect to the question raised by my hon. friend from South Bruce I may say that I have nothing to ask from Parliament. We have no authority to obtain, but have merely to communicate to Parliament this decision and rely upon the House supporting us in accepting the terms that have been made through the intervention, or intermediation of Lord CARNARVON, and that support I do not doubt will be cheerfully accorded. I have now only to say a few words regarding another portion of the subject that I should have alluded to at an earlier stage—that is in relation to the construction of a telegraph line. He felt from the first that it was absolutely indispensible to have telegraphic communication with the various points on the line in order to prosecute a successful survey and in order to conduce to the settlement of the North-

West territories as well as to lay out the line upon which the road should ultimately be built. We accordingly advertised for tenders for a line of telegraph extending from Fort William westward. The specifications, as hon. gentlemen will see who have looked at the papers stated that the telegraph line should be built along the route of the railway as settled by the engineers—that where forest occurrs it will be cleared for a width of 132 feet and that the line should be erected in the best possible manner. We have given out contracts from Lake Superior to Fort Garry to Messrs. OLIVER, DAVIDSON & Co., at $243,150—from Fort Garry to Fort Pelly, to Messrs. SIFTON, GLASS & Co., at $107,850—from Fort Pelly to Fort Edmonton to Mr. W. FULLER at $117,250 —from Fort Edmonton to Cache Creek to Mr. F. J. BARNARD at $272,250. A large proportion of this work is now being proceeded with; and some of the wires have been stretched. At the present time there are some 200 or 300 men employed on the work connected with the erection of this telegraph line. The clearing of the timber for the line will as a matter of course form part of the expenditure on the Pacific Railway itself as that work when done will simply be a part of the work to be done by the contractors when the contracts for the building of the road are ultimately given out. I should state that the contracts in connection with the telegraph, are for its maintenance as well as its construction for a period of five years, and that all Government messages will be passed over free. The average price per mile, under these contracts, will be for prairie $180; woodland districts, from $480 to $490; the number of acres cleared per mile, being about sixteen. Any profits received from messages sent by private parties will accrue to the contractors of the line. Now, sir, it will be observed that the works we have entered upon so far, are merely anticipatory to giving out the general contract which we hope to do in a scheme yet to be developed and brought to maturity, and to which the sanction of Parliament will have to be obtained. We hope to connect with the construction of this road an emigration scheme, which will at once assist in settling the vast territory through which it passes, and in getting the road built in the cheapest possible manner. All the measures we have now taken are simply with a view of doing the little preliminary work which can be done at a comparatively small expense, so that we may not lose a season's work before it will be possible to prepare a scheme. As I stated on a former occasion last year, nothing appears to me more suicidal or un-business like than to lay out contracts without any knowledge of the country or any certainty as to the extent of the work of construction or the physical difficulties we might fairly apprehend as having to be met. We have, therefore, spent a year, and we will spend a very considerable portion of the coming year, in getting such a knowledge of the country as will enable us to present to contractors some idea of what lies before them, and not have them complaining at a future day that we misled them by the *data* placed before them. There are no difficulties to contend with on the branch from Pembina to Fort Garry, nor yet on the main line from Red River eastward to Rat Portage, and from Lake Shebandowan to Fort William. We have availed ourselves of all the resources that Parliament placed at our disposal as best we conceived it possible, and in such a way as to facilitate to the utmost possible extent future operations in the construction of this road. And while we still adhere to the policy we formerly intimated of, at least for years, utilizing the water communication at various points, we shall always endeavor to proceed with the work as fast as the circumstances of the country—circumstances yet to be developed—will enable us to do, so as to obtain as soon as possible complete railway communication with the Pacific Province. How soon that time may come I cannot predict, but I have no reason to doubt that we shall be able to keep our obligation to British Columbia as now amended, without seriously interfering with the march of prosperity. There is no doubt, however, that it will place a serious responsibility upon the country, and we shall therefore proceed with the caution we have always advocated, whether from this side of the House or from that. I have given a brief sketch of the position of affairs as they stand at present. I will now give a detail of the expenditure for which we ask this vote, and at the same time I promise to lay upon the table of the House the whole

particulars in a very short time. For telegraph construction, there are five contracts, amounting in all to about one million of dollars. Steel rails, for which we ask a vote of two millions, amount, as I stated to $2,665,000. We only ask for two millions for this year, however, and it is almost certain we shall not expend as much. For grading and other works upon the Georgian Bay Branch we ask $500,000, as being the utmost possible amount that can be expended this year. For grading upon the Pembina Branch, 48 miles, $106,000, being the balance of the contract price, which was $120,000. For the portion from Fort William to Lake Shebandowan we take $500,000, and for that portion from Lake of the Woods westward, $500,000. For the locks at Fort Francis, $150,000; for improvements between Sturgeon Lake and Lake Shebandowan, $240,000; and for the *portages* between Manitoba Lake and the River Sascatchewan, $50,000. I may say that the Lake of Manitoba connects very closely with Lake Winnipegoosis, and it is possible to ascend by the Hen River from one lake to the other. The difference of level is about 18 feet 9 inches. The Hen River is extremely tortuous to ascend, the distance is some 30 miles, and there are large boulders in the bottom, so that it may after all be found desirable to have a *portage*. There are three or four miles of *portage* between Lake Winnipegoosis and Sascatchewan River. Once there, we are in a position to ascend to the very heart of the territory. The Hudson's Bay Company have built two steamers for service upon this part of the river, and they have succeeded in ascending almost the whole of the North Sascatchewan, and I believe the South Sascatchewan is equally capable of being navigated by boats of this class. We have therefore taken $50,000 for the construction of two small steamers to navigate this river, and $60,000 to improve the navigation at certain rapids. We have taken $500,000 for expenditure between Esquimault and Nanaimo. We hope to be able to locate that route early in the summer and place it under contract, a very large portion of the year may be utilized for work upon that route, and there is nothing, I think, to hinder the construction being carried on during the whole of next winter up to the time we meet here again. We have also taken a sum of $250,000 for possible work upon the mainland of British Columbia. It is uncertain whether we shall be able to use this vote, but it is likely we can at least expend the money upon preliminary works. I have therefore asked for the vote in order that no time should be wasted during the ensuing season. We have also taken $500,000 as a subsidy to the Canada Central Railway. This completes the estimate to which the assent of the House is now asked—an estimate amounting altogether to six millions and a quarter. I may say in conclusion that if there is any further information required, in regard to any matter, which I have not already given to the committee, I shall be very glad to give it.

Hon. Mr. TUPPER—Mr. Chairman: The committee have listened with attention to the very interesting statement addressed to it by the hon. Minister of Public Works in connection with what I have no hesitation in calling the most important subject that could at any time engage the attention of this committee. I must ask your kind indulgence while I place my views upon this question before the committee as briefly as I can. I regret that these views should differ in the least from the statements we have heard, because I confess I regard the great question of the Canadian Pacific Railway as one so important in its character, having such an important bearing upon the future progress and greatness of the country as to require that all personal ambition, all party interests, should stand in abeyance in its presence. I can assure you, Sir, and this committee, that nothing would give me greater pleasure than that there should be propounded from the Treasury benches a policy to which I could give my hearty and cordial co-operation. The fact that the hand of Nature has given to Canada the prominent position that it has in relation to this question—the fact that on this continent is to be found a line so favorable for communication between the Old World and China—the fact that every light in which the Canadian Pacific Railway can be regarded Canada possesses the most prominent advantages—these facts, I say, are sufficient to direct the attention of every Canadian statesman to the question as one deserving of his most careful and patriotic

consideration. When we look at the fact that by a line of railway passing through our own country even the people of New York and the people of Montreal are brought 300 miles nearer to Fort Garry; when we contemplate the fact that the inhabitants of New York, Portland and Boston must find their shortest communication with the Pacific coast and the distance between those points greatly reduced by travelling our line of railway, nothing more requires to be said to show the enormous advantages which our topographical position gives us. When it is remembered that we shall have a line of railway that will shorten the distance to be travelled between Fort Garry and Montreal by 637 miles, and Toronto, the great commercial centre of Ontario, by 416 miles, as compared with the distance by existing lines, nothing more needs to be said in order to show that as regards distances, we have everything that can possibly be desired in connection with this railway. If we refer to the character of the country through which it passes, we find we have nothing to desire. The very interesting statements made by the First Minister today with regard to the explorations of last season instead of throwing any doubt upon the character of the country, have proved that the high expectations we have already formed of it are largely exceeded. For a long tract of country from the eastern side of Manitoba to Fort Pelly, the line runs through a magnificently wooded country, furnishing what has been a great want in the western prairies of the United States, and the timber is of the most valuable description. From the interesting reports of the Director of Geological Surveys, which have already been laid upon the table, we see that Canada possesses the finest agricultural country in the world, that country is enriched with vast deposits of coal and iron, and upon the Saskatchewan and in British Columbia, especially, with gold. When it is remembered that our line of railway will run throughout its entire length through an excellent country, a great portion of which will bear favorable comparison with anything to be found on the face of the globe, it is not surprising that members of this House and the people of the country have come to the conclusion that no responsibility rests upon the shoulders of those charged with the administration of public affairs, more weighty than the duty of seeing to the rapid and steady progress of this great national work. But, sir, the fact of the engagements which the First Minister has just stated were entered into with British Columbia during the past season set at rest and forever any question as to whether we are in a position that would allow us to doubt and hesitate a single instant what course to pursue. I am not going to call in question the propriety of this engagement for a moment. I feel that the Ministry of the day are entitled to the support of this House, and especially the gentlemen who sit on the Opposition benches, in any measure which is required to carry out the pledge—perhaps a somewhat imprudent pledge—that was given by their predecessors in relation to this great work; and I feel they may look with confidence to this side of the House for the most energetic support of the measures they have taken —I believe wisely taken—for the redemption of that pledge. I say that these negotiations are of a character that must convince every person that the time for doubt and hesitation as to the steady and rapid progress of this work has gone by; and that it would be utter insanity on the part of any Government to bind themselves, as this Government have bound themselves, to make large expenditure west of the Rocky Mountains unless it was intended to supplement that expenditure by such a vigorous prosecution of this work as could alone justify that expenditure and render it advantageous to the country. Now, the great difficulty that has presented itself to the minds of those who have paid attention to this subject, is the question of cost. It is a fact that in relation to the resources of our country the cost of constructing a Canadian Pacific Railway is very great; and I ask this committee whether, in the presence of that fact—in the presence of that great difficulty which presents itself at the threshold of this question—the Government of the day are not bound to husband their resources, to prosecute this work in such a way as will enable them to use effectively every dollar of public money that the country can spare in order to its economical and successful prosecution. Now, the exception I take to the policy of the hon. gentlemen, and the exception which I took a year ago is this: not that

he proposes to make a large expenditure in connection with the construction of this important work, but that he proposes to make an enormous expenditure of money entirely unnecessary and outside of anything that is required for the construction of this work. Parliament after the most thorough discussion deliberately fixed the eastern terminus of the Canadian Pacific Railway at a point south and east of Lake Nipissing. That point I admit was a compromise between various sections of this country that entertained different opinions as to whether it should be on the Matawan in a direct line from the north-west to Quebec, or whether it should be brought a little further into the Province of Ontario. After, I say, the most deliberate examination of the question Parliament adopted a point south and east of Lake Nipissing as the eastern terminus of the Canadian Pacific Railway. Why? Because they felt they were bound —grappling with a work so gigantic, with a work which involved such enormous expenditure of money—they were bound to make that terminus no farther east than to a point which could be reached by the private resources of railway companies, aided by Provincial subsidies. But, Sir, the hon. gentleman, who had formerly taken exception to the great cost of this work, the moment he was clothed with power to deal with it ministerially, propounded the extraordinary policy of building a line of railway from that point to Georgian Bay, I must ask the indulgence of the committee while I draw their attention for a few minutes to the amount of public money it is proposed to expend eastward of the point which Parliament fixed as the eastern terminus of the Canadian Pacific Railway. I will put it to the First Minister whether he can justify himself to this committee and to the country for adding to the enormous amount of money that all admit must be expended in order to construct this work, the sum of ten million dollars of public money and public property. I shall endeavor to show the committee that that policy will prevent Canada possessing that advantage which it is evident God and Nature intended from the physical configuration of our country she should possess. My hon. friend from South Bruce says "hear, hear!"

Hon. Mr. BLAKE—No; I said if God intended it we would not be likely to prevent it.

Hon. Mr. TUPPER—I say that no part of this continent is more plainly intended than this "Canada of Ours" to be the great highway of communication between Europe and the eastern world, and though the hon. gentleman may tell me we cannot defeat the designs of Providence, I fear it is in the power of man to deprive us by procrastination and indifference of the benefit of those advantages which Providence has conferred upon our country. If my hon. friend thinks that these are questions beyond the control and influence of man, then I ask him what statesmen are for if not to carry out vigorously and efficiently such a line of policy as will enable this country to profit from the advantages, which by the blessings of Providence have been showered upon it. Now, the First Minister has said that this House last session settled this question of public policy; but he will remember that he claimed great credit for the adoption of the principle—I will not say a new principle—of asking Parliament at every step of this great work to review the policy of the Government with regard to it. He has kindly volunteered, and I thank him for the confidence he has shown the House in that respect, to place the contract now on the table before the House for their consideration; I say under these circumstances we are in a position to review the whole subject in all its bearings. The First Minister in his address to the House a year ago quoted Mr. Fleming as an authority for the statement that the Canadian Pacific Railway would be comparatively useless—would be a burden upon the resources of the country, and cost a very large amount for its annual operation—unless we could throw three millions of people into the North-West. That statement commends itself to the judgement of every intelligent man in this country. If we wish to make this great work accomplish for Canada what it may be made to accomplish we must adopt the means which will rapidly throw hundreds of thousands of people into the great North-West. Now, I shall invite the attention of the committee to the expenditure that is proposed to be made outside

altogether of what I maintain Parliament fixed as the Canadian Pacific Railway proper. The hon. gentleman a year ago told us that the Canadian Pacific Railway was divided into four sections, the first commencing at a point south and east of Lake Nipissing and running to Nipegon 557 miles, and the second from Nipegon direct to Red River, 416 miles. I draw the attention of the committee to the fact that the policy now propounded is a new policy; that instead of taking up the section from Nipegon to Red River, a distance of 416 miles, it is proposed to diverge away to Thunder Bay and to run a line which will strike the main line from Nipegon to Red River, at a distance as I estimate by measurement on Mr. FLEMING'S map at about 150 miles, but I will take half that distance and call it 70 miles. We are therefore not only called upon to make an expenditure outside of the Pacific Railway proper, as defined by Parliament for subsidizing a line from Renfrew to Burnt Lake, which I will designate as the point where the Government line, as my hon. friend intimates, commences—we are not only called upon to subsidize a private company to the extent of $12,000 a mile, and for what purpose? For the purpose of enabling them the better to compete with another private company running a line on the other side of the river, and which is obtaining no subsidy at all from the Dominion. We are called upon not only to pay that subsidy, but also to pay, as I shall show, an enormous sum to secure the construction of a line from Burnt Lake to the mouth of French River, on Georgian Bay, outside altogether and independently of the Canada Pacific Railway proper, as divided into four sections by the hon. gentleman himself a year ago. I say the act upon our statute book makes no provision for a line from Thunder Bay to Fort Garry, or for connection between the main line and Thunder Bay. Now, I shall ask the attention of the committee to the expenditure that is proposed to be made outside altogether of anything which is necessary for the construction of a through line of railway from a point south and east of Lake Nipissing to the Pacific—the only line of railway that was contemplated by Parliament in the first instance.

Hon. Mr. BLAKE—Hear, hear!

Hon. Mr. TUPPER—The hon. gentleman says "hear, hear!" Perhaps he will remind me that there were to be branches from Pembina to Fort Garry and from the main line to Lake Superior. But he must allow me tell him he cries "hear, hear!" before he has mastered the subject; that when we contemplated that all the surveys we were in possession of, led us to the conclusion that we would have to run the main line north of Lake Nipigon and therefore a branch of 60 or 80 miles was necessary, and he will allow me to tell him what the First Minister stated to-day—that subsequent explorations not only proved that we can obtain a good line of railway from a point south and east of Lake Nipissing to Nipigon Bay, but that the line will skirt the waters of Lake Superior thereby obviating the necessity of a branch. The committee will perhaps permit me to read a single sentence on that point from Mr. FLEMING'S report. He says:—"Route No. 2 passes south of Lake Nipigeon and touches the navigable waters of Lake Superior near the mouth of Nipegon River; its total length is 1,038 miles." He says again: "Route "No. 2 would require a branch of about "ten miles in length to reach a point on "Nipegon Bay, designated Red Rock, "where steamboats now touch, but the "surveys which we have made establish "the fact that by straightening and dredg-"ing out the channel between Nepigon "Bay and a sheet of water known as Lake "Ellen, the navigation of Lake Superior "could be extended to the head of the "former lake, ten miles inland. The "main line, by route No. 2, would touch "the head of Lake Ellen, and thus by the "improvements referred to a branch would "not be required," so that it will be seen that these branches are not now any necessary part of the Canadian Pacific Railway proper. I will not detain the committee with the evidence that I have under my hand from Mr. ROWAN'S report, showing that the waters of Nepigon Bay are as accessible as Thunder Bay, both in point of navigation and as regards the ice. The Minister of Finance shakes his head, but if instead of taking the statements of interested parties who have expended large amounts in mineral lands in the neighborhood of Thunder Bay, he will take the evidence of the ablest engineers

who have examined the route; he will find that Nipegon Bay is nearer Sault Ste. Marie, and in point of freedom from ice and security to navigation, is equal, if not superior to Thunder Bay. Nobody can read the speech delivered by the Premier last year, without being led to the belief that the road was to be constructed from Nipegon Bay to Red River, I read from the speech of the hon. First Minister in submitting the Pacific Railway Bill:—"They (the Government) propose to divide the road into several sections, one from Nipissing to Nipegon, a distance of 557 miles. This was a section that the Government did not consider it at all necessary to be carried on for some time. The next section was from some point on Lake Superior to Red River, a distance of about 416 miles. This section must be proceeded with immediately." We have been told to-day that the distance from Thunder Bay by the route proposed is 440 miles.

Hon. Mr. MACKENZIE—That distance includes the sinuosities of water navigation.

Hon. Mr. TUPPER—The hon. gentleman will not be able to change my position by that statement, because he will see if he gave one section of 557 miles from Nipissing to Nipegon, and another section of 416 miles, which is the distance from Nipegon to Red River, my statement is sustained, that the intention was not only to go direct but to put the section from the head-waters of Lake Superior at Nipegon to Red River, under contract as soon as possible.

At six o'clock the House rose for recess.

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AFTER RECESS.

The following Private and Local Bills were read a second time:—

Mr. CAMERON (Cardwell)—To consolidate and amend the Acts relating to the Provincial Insurance Company of Canada.

Mr. WRIGHT (Ottawa)—To confirm articles of agreement and consolidation between the European and North American Railway Company for extension from St. John westward; and the European and North American Railway Company of Maine, and for other purposes.

Mr. JETTE—To incorporate the Royal Mutual Life Insurance Company of Canada.

Mr. DEVLIN—To amend the Act passed by the Parliament of the late Province of Canada intituled "An Act to incorporate the Montreal Board of Trade."

Mr. IRVING—Act respecting the International Bridge Company.

Mr. MOSS—To amend the Acts of Incorporation of the Great Western Railway Company.

Mr. JETTE—To incorporate the European and American Express Company.

Mr. FRECHETTE—To amend the Act incorporating the Board of Trade of the Town of Levis.

Mr. COCKBURN—To consolidate the enactments relating to the Northern Railway Company of Canada and to provide for the consolidation of the Loan Capital of the Company.

THE PACIFIC RAILROAD.

Hon. Mr. TUPPER resumed his speech on the Pacific Railroad, in Committee of Supply. He said:—I stated to the Committee that the principal ground of objection that I have to the proposition of the hon. First Minister now before the House is the fact that a large amount of money is required to be appropriated for a purpose which I contend is not necessary for the construction of the Pacific Railroad proper, and I will now invite the attention of the committee to the specific amount of money and assistance which, in my judgment, are thus frittered away (if I am permitted to use the term) on measures not required for the purpose of accomplishing that great work. The contract which the hon. First Minister has laid on the table of the House, to the consideration of which the attention of the House is invited, provides, in the first instance, for a subsidy to the Canada Central Railway from Douglas to Burnt Lake. I will use the term Burnt Lake as designating the point at the 85th mile from the Georgian Bay. The first expenditure of which I complain is a subsidy of $12,000 per mile to the Canada Central Company for 120 miles, involving an expenditure of $1,440,000, or, in round numbers, a million and a half. In the next place, this contract provides that the Hon. A. B. FOSTER, the contractor, shall be paid $10,000 per mile for the 85 miles from Burnt Lake to the mouth of French River. Now, I understood the Premier again and again to

refer to these 85 miles as a Government railway. As I understand it now, this is not a Government line at all. It is Mr. FOSTER'S line. The contract, as I understand it, provides that all these sums of money, all these payments to which I wish to call the attention of the committee, are not for the purpose of constructing a line for the Government, but for the purpose of constructing a line for himself. Tenders were invited for two purposes—one for the construction of a road to be owned and operated by the Government, and the other for a road to be owned and operated by the company, themselves. If I understand this statement, it is that the contract with Mr. FOSTER provides that all these payments shall be made to him for a line to be owned and operated by himself. Well, Sir, $10,000 a mile for 85 miles adds $850,000 to the expenditure. Then, he is to receive 20,000 acres of land per mile which I estimate to be worth $2. per acre. The committee will remember that when we occupied the Treasury benches, we valued the lands in the North-West which were to be appropriated for the Pacific Railway, at a minimum price of $2.50 per acre. For the purpose of removing any question on this point I will assume that these lands shall be valued at $2. per acre, and I may say that if the construction of the Canadian Pacific Railway will not result in giving this value to our magnificent land in the North-West, so glowingly described by the Premier, then there is no person in this House that will say it is worth while to make the road at all. When I place the value of these land at $2.00, I place it below rather than above the mark. Mr. FOSTER receives 20,000 acres per mile on the 85 miles, either along the line of railway, or if that is not available—if the Government should not succeed in effecting such an arrangement with the Ontario Government, then he is entitled to 20,000 acres per mile out of the lands owned by the Government in the North-West. That amounts to $3,400,000 at $2.00 per acre.

Hon. Mr. HOLTON—Why not make it $5.00 an acre?

Hon. Mr. TUPPER—I could safely make it $5.00 per acre provided I have the selecting of the land. The whole character of the land from the eastern limits of Manitoba to Fort Pelly is worth $5.00 per acre as well as $1.00, and will fetch that sum. If the construction of the Canadian Pacific Railway will not render these lands in the North-West, of which we have more than one hundred millions of acres at this moment of magnificent prairie and wooded lands, worth $2 an acre when the railway is built, they are worth nothing. No person would undertake to say that the lands would not be worth that amount—or why undertake the construction of the line! The hon. member for Chateauguay knows that the Northern Pacific Company's land along the length of the line constructed is sold at from $4 to $10; $4 being the minimum. With my characteristic moderation, I will, however, place the value of the land at $2 per acre, which would give Mr. FOSTER $3,400,000. That, it appears, is not a sufficient subsidy, and Mr. FOSTER has obtained an additional amount of 4 per cent. per annum on $7,400 per mile for 25 years on 85 miles, which is equal to $609,000. Add these sums together, which the Government has contracted to pay, and which it is for the House to approve or disapprove, and it will be found that the subsidies to be paid to the Canada Central Railway from Douglas to Burnt Lake, and from Burnt Lake to French River, amount to $6,299,000. That is not the only expenditure which is outside altogether of the Canadian Pacific Railway proper. Parliament fixed the point of the eastern terminus of the road at a point south and east of Lake Nipissing. The hon. Premier says that as soon as possible we must have a national through line, and every man in this country says "Amen" to that sentiment. When you have constructed that line you have to build a road from Burnt Lake to Lake Nipissing, a distance of 35 miles; that is, that for the accommodation of Mr. FOSTER, in addition to the seven millions of dollars in round numbers, which he will receive for the construction of a line which will not belong to the Government, but be his private property, a road will have to be made from the point south and east of Lake Nipissing for a distance of thirty-five miles. I think this House, after seeing the amount of subsidy which the Government has been compelled to pay Mr. FOSTER for the construction of this, will agree with me that I make a very

moderate estimate; one far below the scale of payment to be made to Mr. FOSTER, when I place the cost of those 35 miles at $40,000 per mile; equal to $1,400,000. This brings the expenditure on lines before the point fixed by Parliament as the eastern terminus of the road is reached, up to $7,600,000. The hon. First Minister has shown that he has almost committed a breach of faith with the people of Winnipeg, because the statements made a year ago in this House led the people to suppose that the line would cross the Red River near Fort Garry. Although the First Minister thus disappoints the natural expectations of the people of Winnipeg, he has shown that by carrying the line twenty-three miles north of that point the length of the route is shortened by thirty-five miles, and that I hold will be a justification for making the change, which is one every one will approve. But following the same, the hon. First Minister would be compelled to carry out the view he held a year ago, that the Government should build a national through line, not only from Lake Nipissing to Lake Nipegon, but from thence in a direct line to Red River, and onwards to the Pacific, and not add sixty miles to the length of route by going to Thunder Bay from Nipegon and from Thunder Bay westward. I, therefore, assume that the hon. First Minister will keep faith with Parliament and act according to the wishes of the country, for it would be unjust to compel every traveller over our national highway to travel sixty miles further than was necessary. A direct line should be struck from Lake Nipegon to Red River. The cost of the Thunder Bay branch of seventy miles he would assume at $40,000 a mile, making $2,800,000, which added to $7,699,000, brings the total to $10,499,000, being the amount of public money which the committee is asked to vote for purposes outside of the construction of the Pacific Railway, and for roads not one mile of which would ever be seen or traversed by any one who was going to the Pacific cost from Montreal or Toronto. The hon. First Minister may say, "It is very easy to pull down but not to build up, to criticise my policy, but where is your own." He has a right to ask this question. and I will put before this committee in plain, succinct terms the policy which I consider in Canadian interests should be adopted in carrying out this great work. The hon. First Minister has shown that from the eastern terminus at a point south and east of Lake Nipissing, as fixed by Parliament, the distance to Lake Nipegon is 557 miles. As he stated one year ago that he intended, as early as possible, to construct a line from Lake Nipegon to Red River, and as that portion is not touched by the arguments I am addressing the Committee, I will deal with the proposed expenditure and the construction of the line from Nipegon to Nipissing. The committee has seen that the Government policy is to expend ten and a half millions, in round numbers, as I contend, altogether outside of the Canadian Pacific Railway proper. as I now invite attention to the expenditure that would be required to give us a national through line, and to save the necessity of expending a single dollar of those ten and a half millions of dollars. To construct a line from Nipissing to Nipegon, 557 miles, at $40,000 per mile, would cost $22,280,000. Deduct $10,499,000 of unnecessary expenditure provided the work was at once grappled with and accomplished, and there remains $11,779,000. But where are your lands? You are granting 1,700,000 acres, or $3,400,000 towards the construction of the Georgian Bay branch, and there is no one either in this House or the country who did not feel that in undertaking to open up the great North-West, the Government was justified in appropriating land as far as possible to secure the construction of the railway, which was to pierce the country. Appropriate 20,000 acres per mile for the 557 miles from Nipissing to Nipegon, and estimate its value at only $1 per acre, and you obtain $11,140,000, thus leaving $639,000 as the amount which it is only necessary to expend in addition to the ten millions and a half which I have shown the Government are expending without accomplishing any useful purpose or constructing a mile of the Canadian Pacific Railway. Will any hon. member tell me what purpose the expenditure thus proposed by the Government is intended to accomplish? When I asked the hon. First Minister the question a year ago, he said the object of the expenditure was to utilize the water stretches, and give the people access to the Georgian Bay; but I may tell the

committee, as I told it last year, that if the eight millions of dollars which it is proposed to expend, to give access to Georgian Bay, were all spent, a person travelling from Montreal to Lake Superior would not see one mile of the road so built. Why? Because at this moment private enterprises and private companies have accomplished the work before the hon. First Minister has undertaken it. When I tell the House that from Renfrew to the mouth of the French River is 217 miles, from Renfrew to Ottawa 70 miles, and from Ottawa to Montreal 120 miles, it will be seen that after these eight millions have been spent, a person will have to travel 407 miles from Montreal to reach the mouth of French River. Now, what is the state of things to-day? At this moment private capital has tapped the waters of Lake Huron and Georgian Bay at no less than six points, and at the end of the present season they will be tapped at seven points, for the last 25 miles for Orillia to Midland City near Pentanguishene on Georgian Bay are now under construction. When that is done there will be railway communication to Georgian Bay, as follows: Montreal to Port Hope 270 miles. Port Hope to Orillia 87 miles, and Orillia to Midland City 25 miles, or 382 miles in all, or a route 25 shorter than the hon. gentleman will accomplish after the expenditure of eight millions of the public money. Now, I ask any intelligent man if he can justify to the people of this country, having regard to the great expense of this work of itself, the expenditure of eight millions of the people's money to accomplish that which is already accomplished in a better manner. The Government I say are doing a deep wrong to the people of this country. They should encourage private capitalists who come into this country to spend their money, and who have opened up railway communication between the great commercial centres and Georgian Bay; but instead of doing that they propose to take the public money, and build a rival line to do the work which is much better done without the expenditure of any public money. It is not only a deep wrong to the people of this country, it is not only the useless expenditure of eight millions, but it strikes a blow at the credit and character of Canada, and it will deter capitalists from investing their money in railway enterprises in this country. Will any member of this House pretend to tell me that the Canada Central Railway Company themselves, that the Northern Colonization Railway, and all those lines in Ontario running to Georgian Bay would not be better satisfied to do without any subsidy whatever and be allowed to connect with the Canadian Pacific Railway at its Parliamentary terminus, a point south and east of Lake Nipissing, and thereby secure the immense traffic of the great North-West that will flow down the Canadian Pacific Railway. There is no intelligent capitalist that will not say that these lines would be infinitely better off with the traffic of the North-West without one dollar of subsidy than with a subsidy of $12,000 a mile under the proposed arrangement. We have the evidence before us to show that not only will these eight millions be worse than wasted for it will be used for a purpose that is better accomplished by private enterprise, but that after the road is built, it will be worthless. The tenders that have been sent to the Government show that in the opinion of those best qualified to judge such will be the case. I am not going to discuss that question, but I believe I could show the committee on the authority of those best informed on the subject that after we have spent these eight millions to reach Georgian Bay; after having created by this unfair appropriation of public money a rival line to draw away traffic from existing private lines, we have only reached a point which is inaccessible in summer and frozen up for six months in the year. So that after all this expenditure winter traffic would have to go round by St Paul, and in the summer, people going to the North-West would prefer to leave Lake Superior at Duluth and thence by the Northern Pacific rather than going by the mixed rail and water communication from Thunder Bay that was proposed; and Canadians will have the mortification of finding that all they have been doing has been to play into the hands of the United States. I cannot illustrate more forcibly the view I hold upon this subject than by reading an extract from the Toronto *Globe* which when

this proposal was hinted at, when it was intimated that we should utilize the American lines, used this language :—

"If this scheme is carried out, our national "enterprise, instead of being the successful "rival of the American Company, competing "for the Asiatic trade, which is now in its "infancy, and building up the Dominion as no "other undertaking will do, will simply be the "Canadian branch of the Northern Pacific "Railroad, entirely under its control, and dictated to by it relentlessly."

There is not an intelligent man in this country that will not say that this language reflects solid, substantial sentiments, and that after wasting eight millions of public money on an unnecessary enterprise—an enterprise that fails to accomplish that which it professes to accomplish—we are left dependent upon our American rivals for access to our own country, and have postponed, indefinitely—during our lifetime, at all events—the attainment of the proud position of having a through national line of railway to the Pacific. But I said I would show from these tenders themselves that the line when built as proposed, will be a burden to the country. These tenders disclosed two facts of the most startling character. The First Minister said that the Government intended to proceed with great caution; that they did not intend to make a contract for a mile of the railway or to locate a mile of the railway, till by surveys they had exhausted the whole subject. Where are the surveys of this line of railway? Mr. LEGGE, an authority on that subject, the able engineer of the Northern Colonization Railway, has shown that the Government actually invited tenders for the construction of this line of railway without having a brass instrument on the line—there was evidently a good deal of brass somewhere, but it was not in the shape of a theodolite. The result is—and the First Minister knows it—that although the contract binds him to pay over six millions to Mr. FOSTER this Parliament has established the precedent of increasing the amount of money contracted to be paid. The hon. gentleman knows that on the Intercolonial line of railway the contractors for the first seven sections came to this House and asked a vote of a sum of money in addition to that which the Government had contracted to pay them at the outset. And on what ground? Years had been spent on the survey of the Intercolonial Railroad, it was located, every information that could be given to the contractors was given, save that the road had not been cross-sectioned and the quantities ascertained. The consequence was the contractors applied for an additional amount on their contracts, and this House voted a large sum in order to meet that defect, and for which the hon. gentleman will tell me I am responsible. But I say that that circumstance ought to make us wiser, and in view of that act it requires neither a prophet nor the son of a prophet to foretell that the six millions of dollars which we propose to expend will be utterly inadequate to accomplish the object proposed, and that Mr. FOSTER will come to us, and, quoting the precedents that were established in regard to the Intercolonial Railway, will show that he was called upon to tender for a line, the route of which no man had ever walked over. I do not believe that Mr. HAZLEWOOD, who made the exploratory survey, walked over the section of country within miles of the location of the line, and yet the Government asked for tenders to build the road, and pay away six and a quarter millions of the public money. These tenders disclose the fact that the ablest men in this country have asked for the construction of this work—how much does this House suppose? Mr. FOSTER, it appears, has obtained an assignment from a Mr. MUNSON, an American in Boston—a very significant circumstance. Every person knows what a howl was raised throughout this country when it was supposed Americans were to have any part in the construction of our national highway. Now, this tender is assigned by a gentleman in Boston, whose tender was the lowest to Mr. FOSTER. We all understand what that means—that it is a partnership instead of an assignment and the position that Canada is to be in is this, that assuming that this line is to be utilized as a part of a Canadian Pacific Railway, we are to have MUNSON, and his American associates in control of 120 miles of a link in our great national highway. Well, sir, when I tell the committee that the firm of C. & E. ENGLISH, of Toronto, which I understand embraces gentlemen of the highest commercial standing, have asked no less than four per cent. guarantee on $100,000 per mile,

per annum, instead of $7,400 per mile, which is Mr. FOSTER's tender, the committee will understand what position this road was in to be tendered for. When I tell the House that one contractor asks $40,000, another $75,000, another $90,000, another $100,000, another $30,000, another (the tender that was accepted) $7,400, and Mr. FOSTER's own tender $12,500, and Mr. ENGLISH's tender $110,000 per mile, the House will understand what opinions these gentlemen hold as to this road. But there is another fact, a most startling one, with respect to the paying qualities of this road in the opinion of these gentlemen. What will the committee think when I tell them that they actually offered to build the road and surrender it to the Government for a less sum than they asked to build the road and run it themselves. Messrs. ENGLISH & Co., were willing to build the road for the Government for a guarantee of 4 per cent. on $100,000 per mile in addition to a land grant of 20,000 acres of land per mile, a subsidy of $10,000 per mile, but to build it and bind themselves to run it, they asked a guarantee on $110,000 per mile showing that they believed they would be fortunate men if, after they had constructed the road they could get the Government to take it as a present off their hands. So that after this expenditure of eight millions of the public money we shall have a road that no person is willing to own. Now, I ask the committee whether any man can justify to the people of this country the adoption of a policy of that kind in view of the fact that the Northern Colonization Railway Company without a dollar of subsidy from this Government, aided only by Provincial and local grants, are prepared to extend their line to meet the Canadian Pacific Railway proper at a point south and east of Lake Nipissing; thus opening direct railway communication from the sea-board at Quebec to the heart of the continent; in view also of the fact that the Canada Central Railway Company can go into the markets of the world to-morrow and get all the money they want without a dollar of subsidy from the Government, provided you enable them to say "when we reach a point south and east of Lake Nipissing we meet the Canadian Pacific Railway and will have a direct through line to the great North-Western prairies." All those lines of railway that are being pushed up from Toronto, aided by Provincial subsidies, would be vitalised—any one of them could go into the money markets of the world and obtain all the money they required, provided you enable them to say, "The Government of Canada are constructing a line from Nipissing to the North-West and the moment we reach that point of junction at Nipissing we will command the traffic of the Great North-West of the Dominion." I say, whether you regard this subject from one stand-point or another, it is impossible for the people of this country to take any view but one. What shall we say to the people of Nova Scotia or Prince Edward Island or New Brunswick? There is not an intelligent man in those Provinces who is not ready to bear his full share of the burden imposed upon us in order to secure the great Canadian highway to the Pacific; there is not a man in Ontario or Quebec who has the spirit of patriotism in his breast and an intelligent head on his shoulders, who is not fully prepared to bear the expense that is required to build the Pacific Railway, because he knows that the increased prosperity of the country would, by the work, abundantly repay him. But, what are we to say to the people when the Government send their representatives back with the information that instead of the three millions of additional taxation, which it is admitted, were levied, not to make up past deficits, but to meet future expenditures, being expended on the construction of a great national highway for Canada, they are to be expended on a local road to Georgian Bay, to which access can be had more easily by means of roads already constructed by private enterprise. What are you to say to the capitalists of the Grand Trunk who have invested millions in opening up the trade and commerce of Canada when they see that the natural and legitimate traffic they are entitled to is to be swept away by the Government of this country using the public money to enter into competition with them? The hon., the First Minister says that the Northern Colonization Railway is twenty miles longer than the Canada Central, but that is denied by the engineer, who has undertaken to prove that, if you take into consideration the grades

and locomotive power required, it is a shorter route than the Canada Central. Let that be as it may, the people of Quebec had a right to expect that the Government, before entering into a contract with the Canada Central, would have made an examination of both lines in order to determine, on the authority of the engineers, which would best promote the prosperity of this country. I do trust, deeply as the Government are committed to this work, that they will reconsider their policy on this question—a question of vital importance to Canada and to its progress and prosperity. We have already, by private means, tapped the waters of Lake Huron at Sarnia, Goderich, Kincardine and Southampton, and the waters of the Georgian Bay at Owen Sound, Collingwood and Midland City. My hon. friend will ask me what policy I have to oppose to this. I repeat, the policy of using the existing lines of communication with these waters—which are better lines than he will have after expending eight millions—to convey the plant, material and men required for the construction of the railway to Nipegon on the borders of Lake Superior. I would there put a strong party to work east toward Nipissing and another strong party to work west to Red River. I would put another strong party at Red River—utilizing the means the First Minister has referred to—to work eastwardly from Red River to meet the party coming from Nipegon. In that way at an early day we would have railway communication established with the North-West and at an expence of only half a million in money (valuing the lands at only one dollar an acre) more than it is now proposed to throw away, upon a line for the accomplishment of a purpose which has already been better accomplished by private means—not only thrown away but used in such a way as to cause every man to turn away in disgust from attempting to build a Canadian Pacific Railway. When the people find that ten millions of their money have been spent, and not one mile of the Pacific Railway proper constructed, it would be impossible to induce them to grapple with that work in the spirit with which it must be grappled if it is to be carried out. As I have already said, the claim that will arise under Mr. FOSTER'S contract will, in my judgment, largely exceed the amount of the contract. In support of that statement, if the Committee will permit me, I will read an extract from Mr. LEGGE'S report. He says:—"To do so (that is to "make a survey and a comparison of the "Northern Colonization Railway and the "Canada Central) will be but the act of "wise men, as we may be well assured "no capitalist will furnish the large bal- "ance of money required to complete the "subsidized section without those bonds "are guaranteed by the Government, "more especially as for years to come "there will not be a paying a traffic pass- "ing over the road for more than six "months in each year. The Government "will, therefore, to all intents and pur- "poses be at the entire expense of con- "struction." That is the opinion of a very able engineer who has given his attention to the subject, and who tells the Government that this contract, as far as achieving even the object you have in view is concerned, is only a piece of waste paper. The hon. the First Minister says that the Pembina branch will be used for the purpose of conveying rails. With reference to that, as the contract is already let, I will only say that if the object was to transport rails for the purpose of assisting in the construction of the Canadian Pacific Railway it would not have been necessary to build seventy miles of railway from Pembina to Fort Garry, when the hon. gentleman himself admits that the Americans are unable to bring their lines within sixty miles of Pembina. But it is well-known that the Red River affords splendid means for the transport of rails; all that would be necessary would be to put the rails in a scow 500 miles up the Red River, where there is railway communication, and the stream itself would carry them down at the rate of three miles an hour without any expenditure whatever. In any case they would have to be transported in that way as far as Pembina because the American railway is not extended to that point. However I do not intend to discuss this question, because the contract has been let and part of the road has been graded, and the House is committed to the work. Nor do I intend to detain the committee with any comments upon the statements of the First Minister respecting the purchase of two millions and a half dollars worth

of rails. I think the committee will agree with me that this purchase was rather premature; that considering the enormous price which iron went up to not long ago, and considering also the fact that before those rails are required the price of iron may be reduced—the Government has not made so good a bargain as they would lead us to suppose, although I will be willing to allow them every latitude in a case of this kind. But that is an accomplished fact, and I shall say nothing more about it. I have no doubt the Government were acting with the most sincere desire for the public good, and I am always ready to give them credit when I can for good intentions. My hon. friend stated that what he wanted was speedy ingress from Lake Superior. If such is the case he will adopt the course I have proposed, instead of going to Thunder Bay, where, I have no doubt, there is great attraction for my hon. friend. I will qualify that expression, which might be thought an insinuation, and say simply the pressure of friends interested in Thunder Bay.

Hon. Mr. MACKENZIE—No pressure whatever.

Hon. Mr. TUPPER—We know that large Ontario interests are deeply concerned at Thunder Bay, and I was afraid my hon. friend, being human, might possibly be subject to those friendly influences and arguments of an urgent character that they would advance. That was all that I intended to convey. But if he wants speedy ingress from Lake Superior; if he wants to prevent that which he would himself regret—namely, our being dependent on American railways, I would say—carry on the work simultaneously from Nipegon westward, and from the Red River eastward. Then instead of wasting these ten millions of the people's money, add one poor half million to it, in addition to the land, and at an early day you will have a through national Pacific railway, extending from the waters of the Gulf of St. Lawrence—and I trust at an early day from Louisburg in Cape Breton—to the shores of the Pacific. And, I say, sir, that after my hon. friend has pledged himself—as he states he has, and as I approve of his having done—to expend two millions per annum in the construction of the railway west of the Rocky Mountains, there is no excuse for his having left this end of the line as he has done; upon it, sir, depends the success of the line. Upon its construction depends the success with which we shall be able to apply the means at our command of as rapidly as possible, inducing the people from the over-populated countries of Europe to fill up our North-West with a thriving, sober and hardy population, who will not only help us to bear the taxation which the construction of this work may entail, but give the Pacific Railway something to do. My hon. friend made one statement at which I was truly gratified—that all these appropriations were merely preliminary. When my hon. friend is cogitating on the magnificent scheme of completing this railway through from end to end, and carrying out the great project which the country desires to see carried out successfully—the magnificent emigration scheme of which it is not only a part but the essence—I am safe to say that the longer he cogitates and the more profoundly he ponders, the more clearly will he see the greatness and the practicability of the scheme presented to this country by his predecessors. And I assure my hon. friend, if he wishes to make this railway successful, he must fall back upon the formation of a great company, and draw the capitalists of Europe into the association; inducing them thus to identify themselves so closely with the future prosperity of Canada that every man who owns a pound's worth of stock in our national railway shall feel bound to constitute himself a Canadian Emigration Agent. I regret having occupied so much of the time of the committee this evening, but I trust the importance of the subject will be my justification; but I cannot take my seat without making one more last despairing appeal to the First Minister to reconsider his policy. He stands to-day, by the confidence and suffrages of his fellow-countrymen in a high and exalted position, and regarding him, as I do, as eminently qualified to fulfil the duties of the department over which he presides—a department, viewed in connection with its bearing upon the present and future of Canada, by far the most important in the public service—I tell him that if he will reconsider this question, and, instead of frittering away the resources of the country and taxing the people for that

which would be provided by private enterprise ; if he will grapple in earnest with this subject, he will earn for himself a name and a reputation which will justify the people of this country for having placed him in the high and responsible position he occupies. Coming, as he did, to the head of affairs at a peculiar crisis, when his predecessors, by the adverse vote of this House, were prevented from carrying into effect the great scheme they had propounded, he has had an opportunity to distinguish himself, of which he may justly be proud. He has only to have confidence in the value of our resources ; he has only to have faith in the ability of Canada to accomplish this great work ; he has only to take the subject up in a broad and statesmanlike spirit, regardless of private enterprises and personal interests, and he will hand down his name to his children and to all posterity as a man who, being entrusted with the greatest power which can be conferred by the people of Canada, used it in such a manner as eminently to promote the progress and prosperity of his country.

Mr. MASSON said Mr. Chairman—It is not my intention to discuss this question at any length, especially after the eloquent address of my hon. friend the member for Cumberland, but some expressions fell from the Minister of Public Works which I am desirous shall not pass unchallenged. He has stated that parties from the Province of Quebec interested in the Northern Colonization Railway had an interview with him during the recess, and that these parties returned home satisfied with the results of the meeting. Sir, I was one of that delegation, and I can tell the hon. gentleman that far from leaving Ottawa satisfied the greater number of the delegation left with sentiments of deep disappointment and dissatisfaction. What did the delegation ask of the hon. gentleman? First, that the terminus of the Pacific Railway should remain as it had been fixed by the "Act relating to the Canadian Pacific Railway," an Act which received the assent of Parliament, and was concurred in by the people—that the terminus should remain as it was arranged by himself, when, coming forward for the first time as a Minister of the Crown, he addressed the electors of Sarnia, and explained to them the policy by which he was prepared to be guided in the future. Sir, we asked the hon. gentleman then, that the terminus should remain at the south-east of Lake Nipissing. The hon. gentleman cannot now say that he gave satisfaction in regard to this point. The second thing we asked was that the lines subsidized should pass by the Matawan and keep to the north side of the Ottawa. We were then told that our desires would not be acceded to, and I now say that since it is not intended that the line shall pass along the north shore those delegates cannot be satisfied. The third point upon which we insisted—and we did insist upon this point—was that since the engineer of the Northern Colonization Railway, a gentleman second to none in Canada in ability and engineering talent, gave it as his opinion that the road by the North Shore of the Ottawa was the best road for all parties, and the shortest and most direct line between French River in the west and the nearest seaport in the east—that is to say Montreal. The Minister of Public Works should leave the question open until such instrumental surveys had been made as would enable him to come down to this House and ask us to decide upon the route which it was really in the interest of the country to follow. The Minister of Public Works stated in the present debate, that there is nothing more suicidal than to decide upon a line of railway, unless we have proper *data* on which to base our decision. Under these circumstances the hon. Minister cannot wisely decide that the line shall not pass by the north shore of the Ottawa, and that it shall pass through the northern section of the Province of Ontario, having no such *data* to justify him in arriving at such a determination. This therefore is another point upon which we did not get satisfaction. The fourth request we made of him was that he could grant us what was fair, and not locate the terminus of the subsidized line at Renfrew, where it was alleged the Northern Colonization Company could not with any advantage make its connection, but should locate it at Pembroke ; and at the second meeting held the Minister of Public Works distinctly refused to promise any such thing. If to be refused at every point, Mr. Chairman, if to be denied every act of justice which we demanded, is calculated to give satisfaction, then I say we were satisfied ! The delegation that waited

upon the hon. gentleman was composed exclusively of gentlemen from the Province of Quebec. If he says we were satisfied, I suppose he also holds that the Province of Quebec was satisfied. Now, sir, I have in my hands resolutions passed in the Legislature of that Province which were unanimously assented to. What did these resolutions ask? They are the best refutation to what I take to be the opinion of the hon. Minister. They read as follows :—

"Considering that the Province of Quebec will be called to pay a considerable proportion of the amount required to construct the Pacific Railway, and to subsidize a line which will connect its terminus to the railroads now in existence or in course of construction, whilst it seems that no portion of those works will be built on its territory; that, consquently the Province of Quebec might expect that in the localization of the Pacific terminus as well as in the survey of a line connecting this terminus with the railways existing or being constructed, its just rights ought to be acknowledged as long as it will not interfere with the general interests of the Dominion. Considering that, according to the reports of eminent men, upon the nature and configuration of the ground, there would result as much for the branch of the Pacific at the east of the Georgian Bay, as also for the line to be subsidized by the Government, a survey which would follow the Matawan, and which would present the most economical route, and the easiest and most rapid for the transmission of the vast commerce of the West and the Pacific; that it be resolved that the Province of Quebec prays HIS EXCELLENCY the GOVERNOR GENERAL to be pleased to order a careful examination of the ground, and of the divers intended routes before the adoption of any of them has been determined upon; and, that in case the exploration would prove that a route preferable to that of the Matawan exists at the south of the Ottawa River, the line to be subsidized by the Government be brought to Pembroke and not to Renfrew, where a junction with the system of railway of Quebec is impossible, on account of the enormous expenses which it would impose; That the line which is to connect the Pacific with the other railways should be sufficiently under the control of the Federal Government to insure full and equal justice to all the railway companies which would desire to connect themselves with the Pacific." And yet, sir, the hon. gentleman tells us that the Province of Quebec is satisfied with what he offers. You must not suppose that the demands made in the resolutions proceed from selfish motives. They are based on the fact, as stated in the resolutions, that the Province will bear its fair share in the expense of constructing the railway. The members of this House, when the Pacific Railway Act was passed, were actuated by a desire to see this immense enterprise so carried on as to result in the advancement of this whole Dominion, and not of the Province of Ontario or Quebec exclusively. We knew that by acquiring the North-West territory we were bound to throw into it a numerous population similar to ourselves, who would implant in that country our principles and ideas—our love of British institutions. We were all desirous of filling that country up because we knew that in encouraging emigration to it we would be creating a power—creating a nation—whose wealth and prosperity would add to our own, in so far as we were the channel by which the produce of the North-West would come to the seaboard, and we should in turn send to that country the manufactured articles we produced. We were determined upon this course from the very outset. Some parties in Ontario were advocating a different road. The Province of Quebec asked that Matawan should be the terminus. We are entitled to insist upon the terminus being placed there if the only consideration to be taken into account was to obtain the shortest and best route to connect the Pacific coast with the nearest seaports on the Atlantic shore. Mattawan was the proper point to be selected; however, as I have said, some parties in the Province of Ontario requested that the point fixed should be a little further west, and a compromise was come to by which they and the Province of Quebec accepted the south east corner of Lake Nipissing as the proper point for the terminus. We knew that we were conceding to Ontario that which they had no right to expect, but we also understood that in this country we should not be exclusive or selfish, and that although the Province of Ontario had no right to have

the change made, for the sake of good feeling between the two Provinces, we yielded—and we yielded gracefully. We did so because we knew that although we were building a certain number of miles of railway exclusively for Ontario, so as to bring the trade towards their great commercial centre, the city of Toronto, we had the means of retaining for ourselves the through traffic of the North-West. We knew that we could tap the railway with a junction at Lake Nipissing. I am in a position to state that that was the policy of one of Canada's greatest statesmen. Sir GEO. CARTIER's policy was to let the terminus be fixed at the south east of Lake Nipissing, but the Province of Quebec could then, by the aid of its local Legislature, continue its Provincial line on the north shore of the Ottawa till it formed a junction with the Pacific Railroad, by Mattawan, north of Lake Nipissing. The opinion of that distinguished statesman was that the trade of the country must not go by the south of Lake Superior to favor the Americans; that the road should be constructed on the north shore of Lake Superior and that Canada should have communication with the North-West through Canadian territory. When that policy was decided upon, it was necessary to induce the Northern Colonization Railroad Company to push on its road on the north shore of the Ottawa, so far as the topography of the country would allow it. The Company understood its mission and determined to do it. The plan which was in the mind of Sir GEO. CARTIER, and the plan which the majority from Quebec then accepted, was completely feasible, and so far feasible that if the Minister of Inland Revenue will only refer to Sir HUGH ALLAN's letter of 9th July, 1872, he will see that he offered, if the contract was granted to him, to build a branch line from Hull, on the north shore of the Ottawa, as far as the topography of the country would allow him, in order to join the Pacific Railway at a point north of Lake Nipissing. This was an acquired right to the Province of Quebec, and in contending for it we were not acting in a sectional spirit. This Dominion can only prosper if all the different Provinces have a fair share in the expenditure which is necessary to conduct the affairs of the country. The Province of Quebec, having an acquired right, now asks how it is that by a change in the policy of this Government we are never to have a through traffic from our great North-West through the Province of Quebec.

Hon. Mr. HOLTON—I wonder if Montreal is in the Province of Quebec.

Mr. MASSON—I ask the hon. member for Chateauguay if the Province of Quebec is in Montreal?

Hon. Mr. HOLTON—There are a good many more of the inhabitants of Quebec Province in Montreal than in Terrebonne.

Mr. MASSON—The position I am taking is one that will be taken not by Terrebonne alone, but by all the constituencies on the north shore, and perhaps by the county represented by the hon. member himself. The whole Province of Quebec, through the Local Legislature, has entered its solemn protest against the policy of the Government, and I am surprised that the hon. gentleman does not join hands with me instead of opposing the interests of his Province.

Hon. Mr. MACKENZIE—There is nothing like strong language.

Mr. MASSON—I merely state the fact. Has not the Government received a petition from the Local Legislature?

Hon. Mr. MACKENZIE—We have received none.

Mr. MASSON—Does not the hon. gentlemen know that there is such a petition.

Hon. Mr. MACKENZIE—I do not.

Mr. MASSON—I am sorry the hon. gentleman does not follow public events better. Since we have been deprived of what we are entitled to, I ask now whether we should not insist on having the crumbs that fall from the Government table. The hon. Minister of Public Works says the route by the Mattawan is some twenty miles longer than the route adopted. The hon. gentleman has probably looked at the map and measuring with a compass the comparative distance, has decided that the Ottawa route is so much longer. He has no survey. We have the report of an eminent engineer, who after making a minute survey and inquiry on the subject states that on account of the difference in the height of land, the Quebec route is practically twenty miles shorter than than the line adopted by the Government.

Hon. Mr. MACKENZIE—It is better to nail such statements at the moment.

Mr. LEGGE admits that he never saw the country the line runs through, and knew no report of any engineer and these statements are based on the elevations of Sir WILLIAM LOGAN. They show gross ignorance of the whole matter. Why Mr. LEGGE himself admitted in the room when the delegation called on me, that the route we have adopted is 13 miles shorter than the Northern Colonization route. It is true he claimed that the latter line had less elevation, but I challenged him at the time to prove his assertion.

Mr. MASSON—The hon. gentleman knows no more on the subject than Mr. LEGGE does. Mr. LEGGE quoted the statements ofengineers of the highest standing, engineers whose ability no one will dispute.

Hon. Mr. MACKENZIE—Who are they ?

Mr. MASSON—Mr. SHANLY and Sir WILLIAM LOGAN.

Hon. Mr. MACKENZIE — Mr. SHANLY was never there.

Mr. MASSON—Was Sir WILLIAM LOGAN there ?

Hon. Mr. MACKENZIE—He never surveyed it to ascertain the elevation. We have the report of our own engineer, who says it furnishes the easiest grades.

Mr. MASSON—The hon. gentleman accepts the report of an engineer who was caught in the smoke, and did not go within several miles of some parts of the route, and besides, made only a cursory exploration of it.

Hon. Mr. MACKENZIE—If the hon. gentleman wishes to malign the engineer, and state what is not true, I must defend the officer of my Department.

Mr. MASSON—I will endeavor to be as guarded in my language as the hon. gentleman is violent. It is asserted that the line by the Mattawan is shorter, and there is no doubt it would cost less to construct it. The line is located to Mattawan and ready to be built and Mr. LEGGE says it can be built for $30,000 per mile and $1,000,000 could be made on the contract to French River. He says that the line from Pembroke or Renfrew cannot be built for less than $40,000. I ask any hon. gentleman who has seen the contract laid upon the table, if it is not proposed to pay in land and money at least $50,000 per mile for the construction of this road. So much for this part of the Government policy. Now I wish to draw the attention of the House to the statement that the Premier has made that the sum of $1,500,000 or $2,000,000 is to be spent in British Columbia for the purpose of building a Pacific Railway. That may be all very well for the people of British Columbia, but the taxpayers of the Eastern Provinces, though they are quite willing to construct the road from ocean to ocean, as soon as possible, do not care to see so much money expended on Vancouver's Island and for the purpose of enabling the people of the Pacific coast merely to climb to the top of the Rocky Mountains. It will be of no advantage to the Dominion, and not even to British Columbia itself, unless there is provided at the same time communication across the plains to the eastern side of the continent. We, from Quebec, were of the opinion when we voted that famous Pacific Railway Bill —and I do not regret that we did so, unless the action of this Government should give us reason to regret it—that by giving a great many advantages to Ontario by building some four or five hundred miles in that Province, we were at the same time opening a channel for the trade of the North-West to flow through the Province of Quebec. We did not for a single moment begrudge the advantages that Ontario gained by that, and I do not now. We knew that the construction of that railway would conduce greatly to the wealth and prosperity of the northern part of Ontario, and we did not object to that for a moment, but I think I may safely say that the members from Quebec would not have voted for the Pacific Railway Bill if they had thought that the plan which was so opposed by Sir GEORGE CARTIER and which was almost the cause of the fall of this Government, would have become the policy of the present Administration.

Hon. Mr. HOLTON—I regret that the hon. gentleman should have occupied the time of the committee for an hour to make a purely sectional appeal. It is the height of audacity for my hon. friend to rise in his place in this House and assume to speak for the whole Province of Quebec. What right has he to speak for the Province of Quebec ? In what division has he had a majority, or even a

respectable minority of the representatives of Quebec at his back? He is in a position to speak for Terrebonne and the people to the north of Montreal, no doubt, but for him to assume to speak for the people of the Province of Quebec is, I repeat it, the height of audacity.

Mr. MASSON—Is that Parliamentary?

Hon. Mr. HOLTON—I think it is Parliamentary. The Province of Quebec has a direct interest in having the best route adopted from tide water at Montreal to, in the first instance, the navigable waters of Georgian Bay, and the strongest defence from a Quebec point of view of the Government policy, is that this line will be the shortest between Montreal and Georgian Bay, and pass over the best grades and through the best country between those two points. Now, sir, I ask hon. members of this House whether the Province of Quebec is in a position to insist that this line of railway shall run on one side or other of the Ottawa River—because one side of the river to the north-west here is in the Province of Quebec, and the other side in the Province of Ontario—against the interests of the whole Dominion, including the Province of Quebec. I ask, sir, whether the hon. member for Terrebonne has any right in the name of the Province of Quebec to assert that this road must, *conte que conte*, be built on the Quebec side of the river. That is all his proposition amounts to when subjected to analysis. As to the connection with the North Shore or Northern Colonization Road; they will connect here. If it is a better route on the north shore of the river from Ottawa to Montreal than the proposed line on the south shore, connecting with the Grand Trunk at Veandreul or Coteau Landing, the Northern Colonization Road will obtain the traffic; it is purely a question of the comparative cost of conveying passengers and freight over those two lines. But the great advantage the metropolitan port of Montreal will possess will be this:—that it will be made the terminus at tide water of a grand arterial line of railways running by the shortest route and with the easiest grades to the navigable waters of Georgian Bay. That is the great merit of the scheme of the hon. Minister of Public Works. Sir, I do not charge the hon. member for Terrebonne with improperly assuming to speak in the name of all the people of the Province of Quebec without reason. I had occasion very recently in two of the divisions of the City of Montreal to fight electoral contests on this ground. I said, almost in the very words I am now using, that the advantage of the policy of the Government lay in proceeding with this portion of the Pacific Railway so that at all events, whether the Pacific Railway itself were to be constructed in the near or in the far future, we in Montreal, we in the Province of Quebec, will secure at the earliest possible moment the benefit of a great arterial inland line of railway from tide water to the upper lakes. And I would like to ask the hon. member for Terrebonne, and every hon. member from the Province of Quebec, whether that is not an object that we as Provincials—if we are to deal with the qustion as Provincials, though I would not approve that or any other question being carried from a Provincial stand-point—may seek to secure, and by securing it confer the greatest possible advantage upon the people of our country and upon our Province.

Mr. MASSON—What was the result of your speech at the election for Montreal West.

Hon Mr. HOLTON—What the result was there, the hon. gentleman knows full well—a victory for the Government. There were elements in that contest which I will not impart into this debate which the hon. gentleman understood perfectly well. But Montreal Centre which one year ago returned a follower of the hon. knight for Kingston by an overwhelming majority of some four hundred votes returned a supporter of the present Government and of its railway policy by a very considerable majority as the result of the discussions that we had on this subject. But the hon. member for Terrebonne has referred to resolutions passed by the moribund Legislature of Quebec, the members of which have not seen their constituents for four years. The hon. member has quoted the opinions of that moribund body against the opinions of hon. members elected by the constituencies of the Province of Quebec to deal specifically with this subject, and all of whom came from their constituents only twelve months ago. I say that the resolutions of the moribund Legislature of Quebec are

not worth the paper on which they are printed, and they are not entitled to the slightest possible consideration at our hands.

Mr. MASSON—Although unanimous.

Hon. Mr. HOLTON—That the next Legislature of Quebec would be entitled to express an opinion on the railway policy, as representing the opinion of the people,—if it should step out of its own Province to give that opinion—because it is outside of its Province, I freely admit. But, Sir, what were the circumstances under which those resolutions were passed? The hon. gentleman did not tell us anything about that. He spoke of the unanimity that prevailed there; but that unanimity was only apparent, not real. The honorable gentleman knew that full well. If he tells us that the representatives of the southern counties, the counties that returned to this House the hon. members for Bagot, Chateauguay, Lepraire and others, and which were not directly interested, but interested only in having the best possible line selected, voted for that which has been demonstrated to be the more advantageous of the two schemes, did so from conviction—then I say the hon. gentleman makes good my position that the resolutions of the Quebec Legislature possess no value whatever under the circumstances in which they were passed. But I do protest, and I rise only for the purpose of protesting, against the sectionalism which it is sought to introduce into this discussion, and to protest against the hon. member for Terrebonne assuming to speak on behalf of the people of the Province of Quebec. He has no such right; he has achieved no such position in the House, or in the country, or in his own Province, respectable as his position is, that would entitle him to speak in the name of his Province on this or any other question.

Hon. Mr. GEOFFRION and Mr. McKAY WRIGHT rose together, and the latter gave way.

Hon. Mr. GEOFFRION said:—Sir, I insist on speaking now because the hon. member for Terrebonne has been pleased to make several references to the opinions held by the people of the Province of Quebec; I intend to answer only that portion of his remarks, leaving the hon. Minister of Public Works to deal with the main questions, viz., the selection of the route and the policy of the Government on that subject. The hon. member for Terrebonne assumed that the whole Province of Quebec has adopted a policy which is against that advocated by the Government of the day, and urges that the Government have not consulted the wishes of the people. Sir, I know what have been the opinions held during the last three or four years by the public press, and I shall quote, with the permission of the House, some articles from the leading organs of the Opposition press on the question of the Northern Colonization Railway, &c. I find in *La Minerve*, a French paper published in Montreal, which is an authority on railway matters, this article. After saying that the means of communication between Montreal and Ontario were insufficient *La Minerve* says, in French, as follows:—

"C'est là une des raisons et peut-être la principale raison pour laquelle nous avons toujours vu favorablement le projet du chemin de Colonization du Nord, qui sera sans doute dans une partie de son parcours un vrai chemin de colonization..... A Ottawa cette compagnie correspondra avec le chemin du Canada Central qui s'étendra l'été prochain jusqu'à Sand Point, et Montréal aura ainsi une ligne ferrée non interrompue de 216 milles de longueur dans la direction de l'Ouest. C'est une des considérations que les directeurs du chemin de colonisation font valoir dans la communication qu'ils ont adressée au Conseil de Ville, et qui y a été présentée Mercredi soir..... L'horizon que déroulent devant nous ces quelques phrases est immense, et cependant elles ne contiennent rien qui ne soit possible et même facilement réalisable, si Montréal comprend bien ses intérêts et si ses citoyens veulent sincèrement s'unir pour assurer ces magnifiques résultats. Montréal terminus du chemin de fer du Pacifique, Montréal marché et entrepôt du commerce de l'Ouest, et ajoutant ces deux titres à ses conditions actuelles de succès et de prospérité, voilà ce que nous révèle en quelques mots la lettre des directeurs du chemin de Colonisation. Le premier pas à faire pour réaliser ces projets, c'est la construction du chemin de Colonisation du Nord, et il nous semble qu'il n'y a plus de raison pour retarder d'avantage l'exécution de cettre entreprise."

Mr. MASSON—When was that article written?

Hon. Mr. GEOFFRION—In 1872.

Mr. MASSON—What date?

Hon. Mr. GEOFFRION—On 26th January.

Mr. MASSON—Before the Pacific Railway policy was decided upon?

Hon. Mr. GEOFFRION—It was when the city of Montreal was asked to vote one million of dollars in favor of the Northern Colonization Railway, and the argument adduced by the press of that city was that the grant would place Montreal in connection with Ottawa and with western points by means of the Canada Central Line. *La Minerve*, on 30th Jan., 1872, says:—

"Cette voie ferrée (le Chemin de Colonisation) n'est que le commencement d'une grande route internationale qui mettra Montréal en correspondance non-interrompue avec le Lac Nipissing, le Sault Ste. Marie et celui du Pacifique Occidental à Duluth..... Rien ne détruira le réseau des chemins de fer dont Montréal est actuellement le centre ; et ce ne sont ni les articles du *Globe* ni la jalousie des habitants de Toronto qui empêcheront une voie ferrée du Pacifique, par Duluth, Sault Ste. Marie, Nipissing, Ottawa et Montréal d'être presque aussi droite qu'une ligne à vol d'oiseau, et de former avec l'Angleterre le chemin le plus court que tout autre, par au moins 400 ou 500 milles."

Whatever charges may have taken place in the electorate of the Canada Central Company, the road as a road has not changed; the directors or stockholders may have changed, but that cannot affect the Government or Parliament of Canada in dealing with it. The hon. member for Terrebonne, speaking at a dinner given at St. Jerome in his county on 17th February, 1872, is represented to have said :—

"La Législature Fédérale a eu peu à faire en ce qui regarde l'entreprise actuelle du Chemin du Nord. Mais elle a donné la vie aux deux compagnies du Canada Central et du Chemin de Colonisation du Nord, en passant l'acte qui a assuré leur amalgation. Il était dans l'intérêt du pays que les deux compagnies se réunissent, etc."

Mr. MASSON—Will you translate that?

Hon. Mr. GEOFFRION read a translation of the quotation.

Mr. MASSON—I know the hon. gentleman does not wish to be unfair towards me. He would, however, have acted more wisely had he, before reading the quotation, have asked me if the report was correct. That report cannot be correct, for among other things, it makes me say that the Northern Colonization and Canada Central Company amalgamated, and it is well known they never amalgamated.

Hon. Mr. HOLTON—They had power to amalgamate.

Mr. MASSON—I never made the statements contained in the report.

Hon. Mr. GEOFFRION—On 17th February, of the same year, *La Minerve* contained speeches delivered by Mr. MASSON, Mr. CHAPLEAU, and Sir HUGH ALLAN at that dinner given at St. Jean. Sir HUGH ALLAN, who was desirous of carrying the election of Sir GEORGE CARTIER, said in addressing the electors of Montreal East on 9th August 1872 :—

"Le terminus sera à ou auprès du Lac Nipissingue, et des négotiations sont entamées dans le but de construire un embranchement de là jusqu'à Hull, d'où il se soudera au chemin de fer de Colonisation du Nord, faisant ainsi de la partie Est de Montréal le terminus virtuel du chemin de fer du Pacifique. Votre représentant Sir GEO. E. CARTIER s'accorde avec nous sur tous ces points, etc."

That was on the election day when Sir HUGH ALLAN publicly appeared in favor of Sir GEORGE CARTIER, and told the people of Montreal that Sir GEORGE had decided in favor of the Northern Colonization Railway. The Montreal *Gazette*, in its issue of the 17th February, 1872, reports Sir GEORGE CARTIER to have spoken as follows :—

"Since, he had taken the pains to inform himself thoroughly on the whole question, and he had come to the conclusion that without the Northern Colonization Railway, connecting with the Canada Central, and by it with the Canada Pacific at Lake Nipissing, a road to the Pacific would be an injury to Montreal rather than otherwise."

It will perhaps have been noticed that as soon as it was rumoured that the subsidy was to be given to the Canada Central Railway Company the *Montreal Gazette* charged the Government with betraying the interests of the Province of Quebec in that matter, but what did that paper state on the same day that Sir HUGH ALLAN's

speech appeared? Let me read the following extract from its editorial columns of that day :

"We take it that after this evidence on the part of so many shrewd business men of their anxiety to secure, alike for the interest of Montreal, and as an investment for their own surplus capital, railway connection with St. Jerome, there can be no hesitation on the part of the council in submitting to the rate-payers the million dollar by-law to secure the construction of the Northern Colonization Railroad to Ottawa, there connecting with the Canada Central, and ultimately with the Canada as well as with the Northern Pacific Railways."

Such was the opinion of the *Montreal Gazette* of that date. But there is another paper published at Montreal, called the *Nouveau Monde* which is said to be the organ of the hon. member for Hochelaga ; and it is well-known that it reflects the opinions of certain other individuals in the Province of Quebec. That paper says in its issue of the 12th February 1872 :—

"Nous prions ceux qui veulent rester sérieux et désirent sincèrement le chemin de fer d'Ottawa et du Pacifique, de bien remarquer que la nouvelle compagnie (celle de STARNES, BRYDGES, &c.,) se montre vraiment si libérale en promesses que leur excès même le trahit. Tout faire ainsi pour nous et tout faire à ses propres frais ne peut être en effet *qu'une puérile intrigue montée dans l'occasion pour faire manqaer le vote du million de Montréal et avec lui toute l'entreprise du Grand Central d'Ottawa*..... Si c'est en isolant Montréal d'Ottawa et du Pacifique par deux ou trois petits chemins de traverse que le Grand Tronc croit se rendre populaire, nous l'avertissons qu'il se trompe."

The same paper on the 16th February, 1872, gives the following report of the speech of my hon. friend for Terrebonne, delivered at a banquet given at St. Jerome. The hon. gentleman is reported in that paper to have spoken as follows :—

"Que le Parlement Fédéral avait eu peu à faire dans cette question, et que cependant ce peu était beaucoup. Il a passé l'acte amalgamant l'entreprise du chemin de Colonisation avec celle du Canada Central, malgré l'opposition obstinée des ministres locaux d'Ontario. L'hon. M. ARBOTT peut témoigner des efforts qu'il fit alors en faveur de l'entreprise qui intéresse si fort tout le Nord en général et St. Jérôme en particulier."

The same paper also reports Sir HUGH ALLAN to have said on that occasion :—

"Qu'il a offert au Gouvernement de construire le chemin projeté depuis le Pacifique jusqu'au Lac Nipissing, et il n'a pas de doute qu'il sera bientôt terminé. A cette époque, Montréal sera certainment rattaché au Lac Nipissing par le chemin de Colonisasion et celui du Canada Central .....C'est alors que le Canada retirera tous les avantages de sa position, etc."

The Hon. Mr. OUIMET, who was then Prime Minister of the Province of Quebec, was also present and spoken.

Hon. Mr. HOLTON—Why did he cease to be Premier of the Ministry?

Hon. Mr. GEOTFRION—It is better to confine myself to the question before the House. The report of Mr. OUIMET'S speech in the *Nouveau Monde* is precisely similar to that contained in the *Minerve*, which I have already alluded to. Mr. LEGGE, the engineer of the Northern Colonization Railway is reported by the same paper to have said :—

"Des négociations se poursuivaient en ce temps avec la Compagnie du Canada Central pour former une jonction à Hawkesbury, mais le Gouvernement d'Ontario ayant refusé d'octroyer les 12,000 âcres de terre par mille sur lesquels la Compagnie du Canada Central comptait, le projet échoua. La politique éclairée du Gouvernement de Québec qui permettait de continuer le chemin de colonisation jusqu'à Ottawa permit aux compagnies de s'entendre et d'opérer leur jonction dans cette ville. Ainsi Montréal sera mis en rapport avec la vallée de l'Ottawa, le lac Huron, et finalement relié au chemin du Northern Pacific."

Mr. MASSON—You are resting your case upon the faults of your predecessors.

Hon. Mr. GEQFFRION—No! I am showing that those who complain of the course which the Government have taken are acting directly at variance with the line of policy which they previously contended was the proper line to pursue. The same paper from which I have been quoting in an aaticle on the subject says :—

"Un chemin à lisses de bois de Montréal à St. Jérôme était toute leur ambition (aux

promoteurs du chemin), mais le projet s'est graduellement developpé jusqu'à la hauteur d'une ligne de voie ferrée de Montréal à Ottawa, pour se relier au Canada Central et à la route projetée du Pacifique."

Later on the same paper referring to the proposition of matter company says :—

" Ils ne demandent que $500,000, mais ils ne veulent pas construire une grande partie des travaux requis pour amener le commerce à Montréal et assurer le bon fonctionnement de la ligne. Ainsi, ils ne s'engagent pas à construire un pont sur l'Outaouais, à Hull, pour mettre le chemin de colonisation en connexion directe avec le Canada Central....."

Let me refer now to another paper published in Montreal, *L'Opinion Publique*. In that paper the custom is for the writers of articles to sign their names to them, and I find in its issue of the 22nd February, 1872, an article signed "J. A. MOUSSEAU." I do not know whether that name represents the same person as the hon. member for Bagot, but I have reason to believe that it is. After quoting the speeches of Sir HUGH ALLAN, Mr. MASSON, and other distinguished members of that party the articles goes on to say :—

" Cependant ils refusent les offres brillantes de M. BRYDGES ! Pourquoi ? Parcequ'ils voient clairement que ces offres cachent un piége et que le résultat des efforts tentés par la nouvelle companie, si elle réussissait, *serait de tuer le Canada Central, d'enlever au Nord de l'Ottawa, au Bas-Canada, les immenses avantages qu'ils retireront du chemin. &c.*"

Such are the opinions of the leading men and of the press of the Conservative party of the Province of Quebec. There is another way of ascertaining the opinions of the Province of Quebec, at least so far as the city of Montreal is concerned. That city voted a million dollars towards the Northern Colonization railway, but so great was the desire that it should connect with the Canada Central, that it was stipulated in the by-laws that $50,000 should be reserved for bridging the Ottawa river, and making the connection between the two lines. If it would not take too much time, I could refer to numerous articles in the press of Montreal, and to speeches of leading men in that city, favoring the extension of the Northern Colonization Railway to Ottawa, and then bridging the Ottawa River and connecting with the Canada Central. What reason had the hon. gentlemen opposite given for their present change of opinion ? None whatever. Now, either the course they advocated then was right or it was wrong. If it was right then, it was right now. When I see this sudden change not alone in the conduct pursued, but in the arguments of the hon. gentlemen opposite, I am led almost to the conclusion that that press was not very greatly slandered when it was insisted that it was under the control of Sir HUGH ALLAN ; because so long as Sir HUGH ALLAN had a controlling voice in the Canada Central Railway they were loud in their advocacy of making it one of the links of the Canadian Pacific Railway. I contend that in the interests of the whole Dominion—the Province of Quebec included — the course pursued by the Government is the only course that could be pursued, and it is the course which was advocated by hon. gentlemen opposite, and by their press as I have abundantly shown—I have no intention at this late hour to go into the merits of the proposal of the Government, more especially as it has been very fully and thoroughly explained by the First Minister, but I thought it was my duty to call the attention of the House to the extraordinary change of tone on the part of hon. gentlemen opposite and their organs.

Mr. MASSON—From the tone and temper of the speech of the hon. gentleman it is evident that this question has become a personal one. I therefore, claim the indulgence of the committee for a few moments in order to make some explanations. When the Bill for the Pacific Railway was brought before the House an opinion prevailed that the Northern Colonization Railway should continue the arrangements into which they had entered before there was any question of a Pacific Railway. Sir GEORGE CARTIER was then most strenuously opposed to the Northern Colonization Railway being connected with the Canada Central in view of the fact that the Pacific Railway was to be built and that its terminus was to be placed at or near Lake Nipissing. Sir GEORGE came to me and asked me whether it would be advantageous to form another company to go by the North Shore for the purpose of forcing the Northern Colonization Company to bring

their road by the north shore to Ottawa. He pressed me to become a director of that railway because certain parties who were opposing the North Shore route favored the Canada Central, and desired that the Canada Pacific should go south of Lake Nipissing. Thereupon I immediately saw the Rev. Mr. LABELLE who was in Ottawa at the time, and who was completely in accord with myself on this subject. I am authorized by him to read a telegram which he sent to Sir HUGH ALLAN, showing that when it was known there was to be a Pacific Railway the position we took was that Sir GEORGE CARTIER's plan must be carried out, and that the Northern Colonization Railway must pass along the north shore of the Ottawa. That was in the session of 1872.

Hon. Mr. GEOFFRION—It was not during the elections of 1872.

Mr. MASSON—I am not responsible for what Sir HUGH ALLAN said to the electors during the electoral campaign of 1872. I wish only to defend my own position. As I have already said, I saw Mr. LABELLE, and he said that the road must pass on the north shore of the Ottawa. Accordingly he sent the following telegram to Sir HUGH ALLAN in which I cordially concur :—

"Charter asked for railway from Ottawa to junction with Pacific Railway by North Shore of Ottawa ; if it meets your approval would you join."

Sir HUGH ALLAN immediately answered :—

"I am in favor of the shortest line from Ottawa to the east terminus of the Pacific road. If that goes north of the Ottawa, I would favor such line, but my opinion was that it should cross the Ottawa at Portage du Fort."

Not satisfied with that Mr. LABELLE again telegraphed to Sir HUGH as follows:—

"Received telegram—CARTIER would seem to favor a line wholly by North Shore of Ottawa, to junction with Pacific Railway. Would you like one or two of our friends being on the Board of Direction of the new company."

That was the line of conduct we proceeded on in dealing with this question. As soon as the Canadian Pacific Railway was decided upon, Sir GEORGE CARTIER—a friend of Lower Canada if there ever was one—though he has been much slandered, told me distinctly that some parties wished to bring the Canadian Pacific Railway south of Lake Nipissing in order to satisfy the wishes of some Americans ; but he said it must not be done and that the road must go north of the Ottawa. When that stand was taken, the Northern Colonization Railway Company decided to ask powers to go north of the Ottawa ; and Sir HUGH ALLAN being pressed by Father LABELLE and myself and some others, offered to build a railway from Hull, opposite Ottawa, along the north shore of the Ottawa, as far as the topography of the country would allow it, as to form a junction with the Pacific Railway north of Lake Nipissing. That is the reason why I complained that the old plan of the Government had not been decided upon, because while the Province of Ontario would have benefited by that large stretch of railway through its territory, the Province of Quebec would have received the great trade of the North-West, or, at least, would have received a fair share of it, Now, Sir, I leave it to any gentleman, in this House, to say whether my conduct has been that of an enemy to the Province of Quebec and the whole Dominion or not, and whether it has not been the conduct of an honest man.

Mr. WRIGHT (Pontiac)—Mr. CHAIRMAN :—I gave way a little ago to the Minister of Inland Revenue, being very anxious to hear what he had to say upon this extremly important subject. And what did he have to say? Nothing, sir, but the old *tu quoque* argument. Ever since the fatal day when the late Government went down, in the face of an adverse majority, we have always had our utterances, when upon the other side of the House, quoted to us. I hope there will be an end of that style of argument, and that a policy will be inaugurated from the Treasury benches which will not need for its defence the misdeeds of the gentlemen who lately occupied them. I suppose there is no county in the Province of Quebec which has a deeper interest in the decision of the route of the Pacific Railway than has the county I have the honor to represent. I can say with truth, I think, even in contradiction to an established authority in this House—the hon. member for Chauteauguay—that

the public feeling of the Province of Quebec is largely and strongly in favor of the junction being made with the Northern Colonization Railway, provided it be a better line, all things considered, than any proposed. The Northern Colonization Railway is very near to the heart of every inhabitant of the Province of Quebec—of every one who desires to redeem her name and fame, and to remove from her the stigma of want of energy and enterprise in the prosecution of public works and the development of her natural resources. I believe that in this respect the people of the Province of Quebec are thoroughly in earnest and that they wish well to the Northern Colonization Railway. A short time ago it represented but 25 miles of railway, extending from Montreal to the village of St. Jerome; now it aspires to form a connecting link between the Pacific Ocean on the west and the tide-water on the east, and to assist in carrying the products of the North-West to the markets of the East and of Europe—products of which the First Minister spoke so eloquently. I do not propose to discuss this question at any great length, for which I have no doubt the committee will be thankful; but I propose to show very briefly some good reasons why, in my opinion, the Georgian Bay Branch should be constructed from the mouth of the French River to the Mattawan, and I believe it is capable of demonstration that the line by the north shore is the shorter and the better. Perhaps I may be allowed to refer to the question of this being our national route. The Province of Quebec has endeavored to do all in its power to put the Northern Colonization Railway upon a fair basis by the assistance of municipalities and of the Provincial Government. There came a time when the Dominion Government had to step in and do something for that road. I do not think there is any desire on the part of the Dominion Government of the present day to destroy the enterprise which has taken so deep and serious a hold upon the hearts and interests of the people of Quebec. I believe they have acted as fairly as as they could, without undue favoritism. It appears to me, however, that they propose to assist us in our laudable work by handing over to the Canada Central Railway the whole of the national line of the Province of Quebec; and they propose to destroy the trade of our great commercial centre. Just take the position of affairs as they stand to-day: You have from the city of Ottawa four lines of railway, either constructed or projected. You have the Canada Central, the Northern Colonization, the Coteau Landing, and the St. Lawrence and Ottawa, and by the proposal of the Government you hand over the control of them all to a private company. I see in the scheme a proposition to give running powers over the subsidized portion of the Canada Central to all connecting companies, but the subsidized portion only extends to the village of Douglas, and the fact that a considerable portion of the road, from Douglas to Ottawa, is built by private enterprise, over which running powers cannot be given, would make the concession of those powers over the subsidized portion of no practical value. It has been demonstrated by the reports of engineers that it is impossible to connect the Northern Colonization Railway with the Georgian Bay branch line, except at some point beyond Pembroke. They wish us to join the Canada Central at Ottawa. We, as representing the interests of the Northern Colonization Railway, assert that it is impossible to make a connection at any point short of Pembroke, unless we do it at the city of Ottawa, and that would practically give the control of the Northern Colonization into the hands of the Canada Central. For, although the Government undertake to give us running powers over the subsidized portions of this road, they cannot interfere with the seventy miles intervening, which have been built by private enterprise. I was rather pleased to hear the First Minister say that it was not altogether decided that the village of Douglas should be the exact terminus, but unfortunately any point likely to be fixed upon will certainly be so near it that our position will in no way be changed. To join the Canada Central at Ottawa is much less than we aspired to do; we were aiming at larger things. However, we must accept the inevitable, and do the best we can. I agree thoroughly with the remarks of the hon. member for Cumberland with regard to the general question of the Paci-

fic Railway. The Georgian Bay portion is not the Pacific Railway proper, but merely a branch of it. Were it the Pacific Railway proper, it would have to be considered from an entirely different point of view. Speaking in the interest of my constituents, who are deeply concerned in the prosecution of this work, I would echo the appeal addressed to the First Minister by the hon. member for Cumberland, and earnestly ask him, if this matter has not been inevitably and finally decided, that he should re-consider it, or at any rate not decide until an instrumental examination has been made, upon which it is possible to determine the merits of the rival routes, which are now competing for a share of the traffic which will pass over this route.

Hon. Mr. CAUCHON—Mr. Chairman, —There is no doubt that there was at one time in Montreal a party who thought they were the whole of the Province of Quebec—a party who desired to ignore the lower sections of the Province, and rule them out from having any voice or share in the matter. Neither is there any doubt that the party referred to were at one time in favor of the Central Road being made the connecting link with the Canadian Pacific Railway. Everything goes to prove that this was the fact. It is also true that they have changed their front. Now they quote Sir GEORGE CARTIER'S opinion upon the subject, but these opinions are private matters, and were never publicly expressed. This change of front took place when Sir HUGH ALLAN and Mr. FOSTER quarrelled. Sir HUGH ALLAN and Mr. ABBOTT were both directors of the Canada Central as well as of the Northern Colonization, when that quarrel took place, and it appears that so far as the former road was concerned, Mr. FOSTER was more powerful than Sir HUGH ALLAN. We know the reason of the quarrel, and it is needless to bring it before the House, for we have nothing to do with it. These are matters of history. What I desire is that we should have the most direct line from one end of the road to the other, and upon that principle alone should the choice be made. I have had some conversation with gentlemen who have had a good deal to do with the matter, and they have unanimously insisted that the shortest route to Montreal and Quebec—the route which at the same time would be in the interest of the whole Dominion—was through Portage du Fort, and that the end of the subsidized line should be some ten miles west of that point. This would place all connecting companies upon the same footing, the most direct line, of course, having the advantage. No one can look at the map without it strikes him that this would be the sensible arrangement, and Douglas is much too far from Portage du Fort to permit of all connecting lines competing under equal terms. If that is the case, I think Portage du Fort is the best crossing place. Lower Canada has voted a large amount of money for the construction of a line on the north shore, and we want no injustice. I want all the companies to be placed on the same footing at their junction with the line subsidized by the Government. To that point every line should be allowed to come on equal terms, so that cars from Montreal and Quebec shall pass over it on the same terms and conditions as those of the Canada Central.

Hon. Mr. MACKENZIE—That is the position in which they will be placed.

Hon. Mr. CAUCHON—Well, in that case I am satisfied. What we have to consider is whether the interests of Lower Canada are served by this policy. I think they are, and that it gives fair competition to all the lines of railroad. Looking at the map, I believe that a point seven or ten lines this side of Pembroke is the proper point for the terminus.

Mr. BUNSTER — We have heard enough about Ontario and Quebec ; I now want to say something about British Columbia. I have referred on former occasions in the House to the beauty and salubrity of our climate. The House will bear with me if I return to the subject again for a moment, for I look upon it as being one of the chief attractions presented by our rising and thriving Province. I am quite safe in asserting that our climate is unequalled, not only in the Dominion of Canada, but on the whole continent of America, and we have only been waiting for the Government to commence and build the Canadian Pacific Railway, when it will give such an increase to our population that the country will fast be settled up ; our new fertile lands will be utilized, and many happy homes will be made. Where the buffalo,

the elk, the deer, and the grizzly are now the sole occupants, cities and towns will take their place and hotels will be opened, enlarged and improved—although I am bound to say that even at present they afford as good accommodation as those I have met with in Ottawa. We have only to gain a few advantages of that nature in order to entice a large portion of the floating holiday-making, pleasure-enjoying population of the United States to come to our Province and make it their summer resort. I referred, also, to our natural resources, and as they affect very largely the question of whether the road would be a paying concern or otherwise, I ought not to pass from them without a word or two of comment. Hon. members of this House have raised the cry that the Canadian Pacific Railway is going to be an enormous expense to the country. I say, and I make bold to assert, that the hon. gentlemen who have treated us to dissertations upon the increase it will cause to the country and the taxation of the people, have been reckoning without their host. You have not the slightest idea of the magnitude of the resources which this road will be the means of developing. Had it no other advantage it has this very great one, that by giving a much shorter and quicker route across the continent than any existing or projected line, or any other possible route, it secures for us the entire control of the coming traffic between Europe and the great south-eastern portion of the continent of Asia. The harbor of Esquimault happens to be at the very spot where vessels leaving San Francisco for India and China have to approach in order to catch the trade winds. This is a point in our favor which it is impossible to over-estimate, considering the extent and importance of the Asiatic trade, and considering the advantage of a much shorter route across the continent, which would be presented to those who now send their goods by San Francisco. That man is neither a good statesman, nor a true patriot, who does not look forward with hope to the future of our national railroad and our great West. Why, Sir, it was but the other year that it was prophesied that the American Pacific Slope would never be practically peopled. What are the facts? It has not only a population of hundreds of thousands, but is drawing within its bosom the great emigration from Europe in a proportion more than twice as great as any other country in the world. Twenty-eight years ago, when W. B. OGDEN proposed to build a railroad from Chicago to the Pacific Ocean, he was laughed at as a hair-brained lunatic, and yet all the world knows that at the present time Chicago and the Pacific are in direct communication, and yet hon. gentlemen in this House call themselves statesmen, and croak about the impossibility of building the Canadian Pacific Railway. I tell this honorable House that they must and will build the road, and they both must and will build it soon too. There is no use talking about spending a million or two millions on it every year; no such sum expended would be consonant with the greatness of the enterprise, or the magnitude of the results which would be brought about by its completion. You speak of encouraging immigration into this country, and you spend hundreds of thousands of dollars in trying to induce the surplus population of Europe to come to our shores. That is all very well it its way, but I tell this House that the true way to encourage immigration is at once to commence, and prosecute with vigor the construction of the Canadian Pacific Railway. How is it that we, with our millions of acres of land lying idle and waiting for the hand of the husbandman to cultivate, have but four millions of people, while the great Republic to the south of us numbers at least forty millions. Why, sir, such a thing could never be but for mismanagement and want of enterprise. Is our land less productive? Has nature bestowed upon us a less healthy or more undersirable climate? Are our agricultural, manufacturing, or lumbering resources more limited? Will any patriotic or truth-loving Canadian say they are? On the contrary, I hold that in all respects we have advantages in excess of those of the United States, and yet how small and slow is our progress as compared to theirs, I have not the slightest doubt in my own mind that to a very great extent, at any rate, their extraordinary success is due to their excellent railway system. They are not afraid to build a railway, whether they think it will pay or not, provided they are satisfied it will open up their country,

develop its resources, and draw to its shores a large share of the immigration which yearly flows from Great Britain and other European countries. Their statesmen see in the building of a railway a tendency to bind the people of one state more closely to the people of another and thus it becomes a national spirit. Such will be the effect in the Provinces of the Dominion. They see in a railway that which, if it does not directly pay, is a source of benefit to the common wealth, inasmuch as it encourages agriculture, gives an impetus to local manufactures, and produces increased trade at the Custom House. If hon. gentlemen who are so cautious and prudent, who think that the building of this road will ruin the country, will give only, like liberal statesment, look at what the results are under similar circumstances at their very doors, they cannot fail to be convinced that the very opposite will be the effect, that it will build up the country, create states where there are now but deserts, give birth to a teeming population on praries whose sole inhabitants are the buffalo, the antelope and the grizzly, and all for the paltry sum of a few million dollars. Sir, it would be a foolish thing for the people of Canada were they so far to neglect their own interest as to throw cold water upon this great project, as the hon. member for South Bruce has tried to do in his speech, which I am happy to hear, did not meet with the approval of the people of Ontario. It certainly did receive and justly so, too, the severest condemation from the people of the outlying Provinces of the Dominion. It would be difficult to understand why the merchants of this country refuse to take the Chinese and East India trade into their own hands, or why they should persist in procuring their own goods through foreign sources, and relying for their supplies upon the continuance of amicable relations with the United States, when such a splendid opportunity is offered for them to have not only their own trade in their own hands, but of commanding and controlling the whole Asiatic import and export business. There has been a great deal said about the road becoming a burden upon the country. I deny that it ever will be a burden to the country, for the very moment it is open for traffic it will give an impetus to every branch of trade in this country such as no one has yet the most remote conception of. You will probably be able to induce the 500,000 Canadians that are now in the United States to return to their native soil; and they, in themselves, could and would have built the Canadian Pacific Railway. This indeed would be something for the statesmen of the day to feel proud of, and if they will only show themselves equal to the work of inducing their countrymen to return to Canada, they will be well rewarded for their enterprise and patriotism. You will have an unprecedented influx of settlers. You will have trade to the Custom House, and trade at the Land Office; and whatever extra demand may be made upon the Public Exchequer in order to pay interest upon the loans required, for the building of the road will in this way be repaid more than double. But suppose it was not doubled; that it was simply repaid, surely any statesman, any true patriot who has the good and future prosperity of his country deeply at heart, would not hesitate for a moment to undertake the work and its accompanying expenditures, if only it makes our Dominion great, powerful and prosperous. But it is asked, "Where are we going to get the requisite amount of money?" and some gentlemen do not hesitate to say that we cannot get it all. Sir, there never was a greater mistake made by any set of public men than to suppose the money will not be forthcoming, and plenty of it too, if we only go after it in earnest. Money is always to be had in the British Market on fair security, and it only requires that gentlemen should go over there and represent the advantages which England would have in commanding the coming trade of the East—an advantage she has spent many a million of money and many a valuable life to maintain in the past—an advantage which they will only be too glad to have the opportunity of maintaining and retaining in the future, and you will have as much money as you can use—not at 6 per cent as the Premier spoke of last year, but at 3 and 4 per cent. It is really extraordinary the revolution that steam has made and is continuing to make in the dimensions of our commerce and the mode in which we conducted it. No country in the world offers a greater field for its revolutionizing power than Canada, and none promises a more plentiful return to the

people who invest their capital and their energy in its application. We have the coal and the iron in extraordinary quantities and of excellent quality, waiting for a people to bring it into use; we have a climate that will produce a hardy, enduring race of men; we have a harbor unequalled in the world an inland navigation which is of itself a mine of wealth to the country; but we are a scattered people, with a country at present in need of being united by some great trans-continental link, and in order to unite our people and make our advantages available, we want this road proceeded with at once and built within the shortest possible space of time. Do our statesmen desire to see this a great and a growing country? Then Sir, the sooner they begin this road the better.

Mr. COCKBURN — Mr. Chairman: I desire to offer a few remarks upon the great question now before the committee, it being a question in which I in common with every fellow Canadian, naturally take a deep interest. I shall not attempt to review the whole of this great and momentous national question, but will confine my remarks chiefly to the Georgian Bay Branch, a section of the country with which I am conversant from the fact that the greater portion of the road passes through the rear section of the constituency that I have the honor to represent. With respect to this portion of our great national scheme, I take exception to the sentiment which prevails in some quarters as to the importance of a line terminating on the Georgian Bay. The construction of a line to Georgian Bay will, I am sure secure to the Dominion the most gratifying results. I must also, in my humble opinion, differ from the hon. Premier in his assertion that the Government have selected the best point for a terminus in Georgian Bay. I think that it would have been much better to have selected Parry Sound, where there is a good harbor, with the settlement organized, roads and other facilities for railway construction. The hon. Premier has admitted that the line could have been built to Parry Sound, but thought it would only serve the purposes of local traffic. I fail to perceive wherein the terminus at Parry Sound would not have served the purposes of through traffic as well or better than at French River, where a harbor has to be made; especially as the large majority of navigators do not consider the French River a safe harbor. I find that the soundings on the chart only indicate 12 feet of water, which will probably be found too shallow, whereas there is a good depth of water in the Parry Sound channel. Mr. BELL says with respect to the Parry Sound harbor: —"I found the channel wide and well marked naturally, and of easy navigation only one more mark being required and this on a rock which is already covered by 15 feet of water." A large number of people understood the expediency of going to French River and the Premier's course will occasion disappointment to a great number of people. Mr. Chairman, there is another grevious disappointment in connection with this matter. I refer to the connection of the Ontario system of railways with the Georgian Bay Branch. The people of my constituency, as well as those of the surrounding constituencies, inferred from the language of the hon. the Premier's address to the electors of Lambton, that aid would be given for the purpose of making this connection. I will read the paragraph:—"This will "involve the construction of a short line "of railway from the mouth of French "River, on Georgian Bay, to the south-"east shore of Lake Nipissing, and a grant "in aid of an extension to that point of "the existing and projected lines in Quebec "and Ontario." I am sure, Mr. Chairman, that little wonder need be felt that such an impression would be gathered from the language of the address. I regret, Sir, that if the Premier did not intend to give this aid, that he was not more explicit in his language; were it not for this, the people of Western Ontario would not expect this aid. They are not sectional in their feelings. While disappointment, I am sure, will be felt in many quarters, I believe that we have the ability through the Local Legislature of Ontario to make the connection, although up to this time we have not a mile of road completed in the free grant districts. So much, Mr. Chairman, for what may be termed the more local section, and I must support the national scheme, apart from the disappointments to which I have

referred. I think the Government scheme a magnificent one, a scheme which will produce great results.

Hon. Mr. BLAKE—At this late hour I will only make a very few observations upon the important question under discussion. I think that it behoves us all, on whichever side of the House we are, to extend to the Government that has to deal with this enormous question the most generous consideration. We find the country involved in very considerable difficulties with reference to the engagements which were formerly entered into. We find a Government in power which was not responsible personally for these engagements, but which fell heir to the performance of them politically. We find that Government obliged at once to state frankly and fairly that in its opinion it was impossible that the country could fulfil literally its engagements, and obliged to attempt the course of obtaining a relaxation of those engagements, so that it might not be said, on the one hand, that faith had been broken by Canada, or, on the other, that Canada was ruined in the attempt to keep faithfully and literally her engagements. For my part, I feel that many things which we might have gladly seen undone or unattempted may require to be done or attempted in order that we might make the best of a bad bargain which was not made by us, but by which we have got to some extent to abide. The general policy of the country upon the subject of the Pacific Railway was spread before this country anterior to the late general election, and practically and fairly stated. In some of the minor details of that policy the hon. member for Cumberland has indicated more or less of change, but the broad features of that policy were, as I have said, plainly stated to this country anterior to the late general election, the verdict of the country was taken upon it, and the result was a decided acceptance of it. It is not reversable by us. We have no mandate to reverse it. Upon the most enlarged consideration of the rights of members of Parliament, I cannot conceive that we could have the right at all to listen to the appeal of the hon. member for Cumberland, and to enter into a consideration whether that policy upon which the country's, opinion was asked and taken, and which opinion we were sent here to enforce, should be altogether reversed. I do not consider it would be wise for an instant to consider any such proposition. I do not believe that any other policy in its general effects than that which was so proposed and so accepted is at all feasible. I believe that the exertions which are being made and which are proposed to be made according to this modified scheme are such as will tax to the very utmost the resources of this country. I believe that the proposals that are made with reference to construction in the North-West—not speaking of British Columbia for the moment—are such as are fully calculated to develop that country as rapidly as we can hope to develop it. You cannot hope to pour immigration into a country beyond a certain rate. You must look to the experience of the Western States in recent times when railroads were being developed most rapidly, and with reference to those states nearest to our North Western territories. You will observe that even with their marvellous progress, they made no such extraordinary progress as the hon. member for Cumberland vaguely depicted to us as likely to take place in the North-West. I hope, Sir, that we shall see a greater degree of progress and settlement in that country than has been exhibited in the States at any recent period. I would aim at surpassing the expedition with which their territory has been settled, but in assuming that we are able to do more than they have been able to do, it will still be found, I maintain that the scheme proposed by the Government is amply sufficient to give remunerative employment to those settlers who may go into the North-West, and if we find that immigration is in advance of the means of employment, it is very easy to hasten the progress of the railway and to put still more under construction than is proposed at the present time. The proposition of the hon. gentleman, therefore, is, I say, entirely out of the question. It is not for us to discuss, even a reversal of the general policy of the country, endorsed as it was by the people, and being, as I believe, the true policy in the interests of the country in the circumstances in which we are placed. I quite admit that it was a general belief on the part of members with reference to one detail of this policy to which the hon. gentleman has alluded,

that Nipegon would be taken as the Lake Superior terminus, not that the Government committed themselves, as I recollect the assertions made upon the point. As I recollect the discussions, it was left to be decided upon by subsequent surveys, but there was certainly in my own mind, and, I believe, in the minds of others, an impression that it was more likely that Nipegon would be taken as the Lake Superior terminus. Of course, I do not know, and therefore I do not attempt to answer the hon. gentleman's observations on that point. The First Minister will, no doubt, give the House the information which has led to the final conclusion to make Thunder Bay the terminus. With reference to the Georgian Bay branch, that was one of the specific points upon which the opinion of the country was taken, and therefore is especially subject to the general observation that I made as to the policy of the Government. The hon. member for Cumberland submitted certain calculations to the House, with reference to the cost of the Georgian Bay Branch, and its extension, which certainly were a little alarming, but we all know my hon. friend's mastery of the art of piling up large columns of figures, and I do not think that he has been unequal to his former efforts in that direction upon this occasion. We have found him putting a value of his own upon the land subsidy. We have found him exaggerating other items to be taken into account, and we have found him thus making a total which I do not think the House will agree is a correct one in that matter. As I understand the figures the cost of building the Georgian Bay Branch, a distance of 85 miles, is as follows : Subsidy, $10,000 per mile—$850,000 ; Guarantee of 4 per cent. interest on $7,500 for 20 years, which I am told, capitalised, is equivalent to $4,000 in cash per mile.

Hon. Mr. MACKENZIE—A little less.

Hon. Mr. BLAKE—That we make $340,900, giving $1,190,000 as the total value of the cash to be expended by the country in the construction of the Georgian Bay Branch. With reference to the 20,000 acres of land subsidy, the hon. member for Cumberland calculates it at $2 an acre. I do not believe the House will accept that calculation. I am quite sure if the hon. gentleman proposed that a negotiation be entered into with the contractor for the release of that land, he would find him quite willing to get rid of it at a much less rate than he has valued the land at. It is an entirely absurd calculation to say that these 1,700,000 acres are worth $2 an acre to this country. Even valuing them at $1 would be in my judgement an excessive valuation. But even valuing them at $1 an acre you would then have $2,890,000 as cash and land which the Georgian Bay branch would cost. Then I understand that the Canada Central Railway is to receive a subsidy of from 110 to 120 miles. I assume the medium, 115 miles, and the subsidy to that road would therefore amount to $1,380,000, thus making a total of $4,270,000 in cash and land, of which $2,570,000 is in cash for the Georgian Bay branch and the subsidy to the Canada Central, which will complete the construction of about 200 miles of railway on the direct route from the waters of Lake Huron to the Atlantic sea-board. Of course sectional interests crop out in this matter. My hon. friend from Terrebone and other hon. gentlemen are pointing out that Lower Canada is greatly aggrieved because a line has been adopted which is said to be, and which, upon the information before us I believe to be—although I do not profess to be an engineer—a direct line from the waters of Lake Huron to tide-water. Hon. gentlemen opposite object to that course : they say that some further advantage should be given to the Province of Quebec—that the road ought to be run in another direction, which would enable the traffic to pass over and practically facilitate the construction of another railway on the other side of the Ottawa, which would pass through a greater portion of the territory of the Province. On the other hand, I notice by the Toronto papers that there has been a meeting of the council of that city, at which resolutions were unanimously passed denouncing the Government for granting aid to the Canada Central, and I am informed that a mass meeting of the citizens has been called to discuss the same question to-night. It is quite clear that the representatives of that corporation are just as much aggrieved, in their point of view, as

is the hon. membet for Terrebonne speaking from his point of view, by the action of the Government. Well, it is an old criticism under such circumstances, that when you find both parties complaining, something not very far from justice may be presumed to have been done, and that neither of them has been specially favored. I do not know much about this question of engineering and surveying. I presume from the observations of the First Minister, who pointed out that the policy of the Government was the same as it was found to be during the elections, that every exertion will be made to secure the best route in all respects, the shortest, the easiest grades, and the best country through which to pass. I also presume, from his references to the Georgian Bay branch, that it also answers all these requirements. I presume, when the debate arises on the question of affirming this proposed contract, that we shall then or previously be placed in the full possession of details which will satisfy us that proper preliminary steps have been taken by the Government, and that there is a just foundation for the assertion that in this case, as well as with reference to the rest of the line, all due precautions have been taken to secure the very best route.

As far as things go I favor the adoption of the present route, but I admit that it is to be decided not by me or others like myself upon cursory information that we are able to obtain, but by the reports and decisions of engineers after a full examination. I am of opinion that the assistance that has been rendered, it is true in a direct line from the Atlantic sea-board to the North-West, has been munificent, and that the legitimate aspirations of Quebec have been fully met. But, had it been otherwise, I should have been prepared as an elector of Ontario to sustain the Local Government in granting certain lands of that Province in aid of so much of the Pacific Railway as runs through its limits, but under the present arrangement I am not prepared to approve of such a course. I believe that the true course for my Province to pursue would be to reserve certain lands for the purpose of making that connection which Quebec is to obtain out of the funds of the Dominion by reason of this subsidy to the Canada Central. It was upon hearing from general rumor what the policy of the Government was that I put upon the paper some time ago an inquiry of the First Minister with reference to communications in that direction. With reference to what the hon. member for Cumberland has observed as to the improvidence of this contract and the haste with which it was entered into, I cannot help being struck by the remarkable inconsistency of the hon. gentleman's argument. He dealt with it in the first instance as if it was an extravagant contract but he afterwards told us that the contract was taken at such a rate as would render it impossible of fulfillment, and that large demands would be made upon the public purse by the contractor in consequence of the line not having been cross-sectioned, and in consequence of fuller information not having been obtained. And the hon. gentleman stated that the experience of the Intercolonial Railway would be repeated and the line would cost more money than was originally stipulated to be paid. Well, I was greatly relieved by the later observations of the hon. member for Cumberland because they satisfied me that the slight allusion he had made in the first instance to its being an improvident and extravagant contract could not be correct. It is not an extravagant contract if it has been made for an amount less than the road could be built for. At any rate we have the assurance of the hon. member that the Government has made a very good bargain—one of which the complaint he makes is that it is too good—so good that he does not expect that the contractor will be able to implement it. The hon. gentleman adverted to the Pembina branch, and he complained of the Government proceeding to a certain extent with the preparations for the completion of that branch by letting a portion of the grading of the line upon the ground that it was not necessary for the purposes of the Canadian Pacific Railway proper. Well it did surprise me that hon. gentlemen should oppose the Pembina branch, having regard to the policy of the late Government with respect to the Pacific Railway; and here I may say, with respect to that branch, that I am not advocating my own views in supporting its present construction, because the late Government proposed to carry it out, and no gentleman on our side of the House objected to that portion of the policy of

the Government. I do not recollect that one dissenting voice, when the proposals of the late Government for the construction of the Canadian Pacific Railway were before Parliament, was raised against the proposal that a Pembina branch should be constructed. It was agreed to by us all—hon. gentleman opposite proposed it, and we thought the proposal a wise one—if we were going to construct a Pacific Railway at all. We acquiesced in their view, and that portion of their scheme passed unanimously. And yet, when we went to the country the other day, and it was announced as part of the policy of the Government to carry out that portion of the policy of the late Government which we had assented to in opposition, and to which the faith of the country had been in a measure pledged—when we proposed, I say, to carry out that policy with only this modification, that we said we could not do it as fast as they had engaged to do it, and that we would be obliged to take more time than they had promised, and that we could not implement their views to the full in that matter, we know what an outcry was raised throughout Ontario, and how the Government were charged with playing into the hands of the Northern Pacific Railway because they proposed to build the Pembina Branch. Our fault was that coming into the Government we had agreed to carry out the policy which we had assented to in opposition and which our opponents were responsible for, and which they had placed upon the statute books; and because we announced our intention of carrying out that policy we were villified from one end of the country to the other as unpatriotic and as incurring a useless expenditure of public money. Following up the same line of attack, though not with the same violence as during the election, the hon. gentleman to-night has assailed the Government for undertaking the construction of this Pembina Branch. What did Parliament do last session? Did not Parliament agree that the Pembina Branch should be built? Was it not thoroughly understood that progress was to be made with that work as rapidly as possible. Was any opposition expressed by any gentleman opposite to this course?

Hon. Mr. TUPPER—Yes.

Hon. Mr. BLAKE—Was there any vote recorded against it? Is the hon. gentleman's vote to be found upon our journals giving the lie to his own statute passed in 1872? The policy of the late Government, as developed in the statute book, was to build that branch.

Hon. Mr. TUPPER—No. The policy was to allow the company that was going to build the main line to construct that branch.

Hon. Mr. BLAKE — What was the policy of the Government? Let the hon. gentleman turn to the famous, let me say the notorious, contract which was cancelled by his Government shortly before it fell, and he will find that the policy of the Government was to have the Pembina Branch finished and put in operation by the first of December last. The policy was to develop the North-West by means of that branch, and the intention was to use it as a means of access to the North-West territories.

Hon. Mr. TUPPER—It was not to be built by the Government.

Hon. Mr. BLAKE but it was to be built with public funds, and for the purpose of the present argument it makes no difference whether it was to be built by the Government or by any private company aided by a grant of public money. It was to be built with public money, and that is what is being done now.

Hon. Mr. TUPPER. No—

Hon. Mr. BLAKE. It is being built now under a contract.

Hon. Mr. TUPPER—under the scheme of the late Government it was to be built by a private company, aided by the Government, and not as a Government work.

Hon. Mr. BLAKE—I appeal to the candor of the hon. gentleman's own supporters to say if that was not the argument used early in the discussion of the subject. The hon. gentleman alleges that the construction of the Pembina Branch was unnecessary and uncalled for. He did not say it ought to be built in one way or another, but the hon. member said it ought not to be built at all, and now he tries to creep out of a small hole by saying that it should be built in one way and not in another. Now, Sir, I say I sustained in Opposition the policy of the late Government for the construction of the Pembina branch. I

sustained it when in power, and I sustain it now as a private member of this House. I am aware that caution is requisite, and having regard to the circumstances, I heartily endorse the conduct of the Government in proceeding so far as they did proceed last season in grading that piece of the line which will certainly be constructed, and is sure to go into operation. I heartily endorse their conduct, having regard to the pledges made, the difficulties the country was involved in at the time, and the importance of the public works being prosecuted in the Dominion. Then we have the question of a road from Esquimault to Nanaimo. As to that, I do not observe that the hon. gentleman said much upon it. I suppose he could not complain of the construction of that branch.

Hon. Mr. TUPPER—I do not complain of it.

Hon. Mr. BLAKE—Upon that subject, at any rate, even his mouth is shut, because the late Government had, by executive action, determined, as far as they could determine for the people of this country, that the terminus of the Pacific Railway should be at Esquimault, and that we should build the road, not merely from Esquimault to Nanaimio, but further on, and to cross the Narrows to the mainland at I don't know what cost. Therefore, the hon. Premier occupies, with reference to his opponents, an impregnable position, while he proposes to this House to do anything with reference to the construction of that piece of the line. I always, for myself, dissented from the view that the improvident and reckless promise made on behalf of this country of building a line on Vancouver Island.

Mr. DECOSMOS—No, no!

Hon. Mr. BLAKE—I contend to the contrary. The hon. gentleman says it should be built, but others think it would be in the interest of the country that the arrangement made to construct a road to Esquimault should be cancelled, and a a new arrangement made. The Government has rightly, from its accession to power taken the view that that arrangement was in excess of the terms of Union, and that the country is not bound to do more than to construct a line to the Pacific Ocean. Anything beyond that was beyond the terms of the bargain. I am here called upon to advert to what the policy of the Government has been with reference to the relaxation of terms, and I wish to point out, in reference to this, observations of my own in support of it, and statements made in the blue book laid before us. On page 26, in the first minute of Council sent to the Colonial Secretary, this statement is made :—"The propositions made by Mr. "EDGAR involved an immediate heavy ex- "penditure in British Columbia not con- "templated by the terms of Union, namely, "the construction of a railway on Van- "couver's Island, from the Port of Esqui- "mault to Nanaimo, as compensation to the "most populous part of the Province for "the requirement of a longer time for com- "pleting the line on the mainland."

Mr. DE COSMOS—That is bosh.

Hon. Mr. BLAKE—It may be bosh, but it is a melancholy fact. This proposition was made, and ultimately, by the arrangements which have been made, and I understand it to have been acceded to, that the construction of the piece from Esquimault to Nanaimo should be proceded with, not as a necessary portion of the Pacific Railway, but as compensation for not completing the line on the mainland.

Mr. DE COSMOS—Would the hon. gentleman point to any part of the propositions made by Mr. EDGAR to Mr. WALKEM, in which the word compensation appears?

Hon. Mr. BLAKE—I do not know anything about that.

Mr. DE COSMOS—Well, keep within the record.

Hon. Mr. BLAKE—I am keeping within the record. I am keeping within the record of the Minute in Council and also within the record of the decision of Lord CARNARVON. I am keeping within the record when I show that the Government of British Columbia agreed to be bound by the decision of Lord CARNARVON. I am keeping therefore, within, the record when I say that the Government of British Colnmbia, as far as it can bind the people of that Province, agreed to accept an extension of the railway from Esquimault to Nanaimo as compensation or part compensation for the delay in the time of construction. In the instructions to Mr. EDGAR, this passage occurs :—

"You will take special care not to admit "in any way that we are bound to build "the railway to Esquimault or any other

"place on the Island; and while you do "not at all threaten not to build there, to "let them understand that this is wholly "and purely a concession, and that its "construction must be contingent on a "reasonable course being pursued regard-"ing other parts of the scheme."

Mr. DE COSMOS—Will the hon. gentleman point out where the word "compensation" comes in in those instructions? I do not wish the impression to go abroad that compensation was offered to British Columbia by Mr. EDGAR when such was not the case. The First Minister has alluded to his own private and confidential instructions to Mr. EDGAR, but they were not put before the Government of British Columbia. I wish the hon. gentleman to state distinctly what were the propositions that Mr. EDGAR did make to the Government of British Columbia, and let him show whether the word "compensation" was used in them at all.

Hon. Mr. BLAKE—I have already pointed out that that is entirely immaterial, inasmuch as the hon. gentleman might deny that proposals distinctly indicating that view, were assented to, and formed the basis of the decision of Lord CARNARVON, which they had agreed to accept. Now, Mr. Chairman, I have stated in public on one occasion, and also in this House, my own opinion that the proposals which were made by the Government through Mr. EDGAR were of an extremely liberal character, and were not such as ought to be materially enlarged by the people of this country. It seems to me that I am fortified at any rate in that opinion by the language which I find in the Minute of Council from which I have been reading, on page 27:—"The "public feeling of the whole Dominion has "been expressed so strongly against the "fatal extravagance involved in the terms "agreed to by the late Government, that "no Government could live that would "attempt or rather pretend to attempt "their literal fulfilment. Public opinion "would not go beyond the proposal made "through Mr. EDGAR to the Government." That Minute of Council was transmitted to Lord CARNARVON and he made his counter-suggestions or stated his views, which were very considerably in excess, in some particulars, of those which had been submitted by the Government of the Dominion. In some of these particulars those views were afterwards modified. To them, therefore, it becomes entirely unnecessary to allude. Others of them were adhered to by Lord CARNARVON, and it is to those views and to the language of the subsequent despatch that I wish to direct the attention of the House. With reference to the proposal of Lord CARNARVON, that the expenditure of $1,500,000 should be increased to $2,000,000 the Minute in Council of September, 1874, states:—

"In regard to the second proposal, the committee recommend that Lord CARNARVON be informed (if it be found impossible to obtain a settlement of the question by the acceptance of the former offer) that the Government will consent that, after the completion of the survey, the average annual minimum expenditure on the mainland shall be two millions. There is every reason to believe now that a majority of the people of Columbia would accept the propositions previously made. Judging from a petition sent from the mainland, signed by 644 names (a copy of which petition is enclosed), there is almost an entire unanimity there in favor of these proposals, and assurances were given very lately by gentlemen of the highest position on the Island that the course of the Local Government would not meet general approval there. An application was made by one prominent gentleman, an ex-member of Parliament, to the Government here, to know if the proposals made would still be adhered to, he pledging himself to secure their acceptance by the bulk of the people. It is therefore earnestly hoped that no change will be considered necessary, as it will be difficult to induce the country to accept any further concessions."

Then turning to the other condition, the Minute in Council proceeds:—

"The fourth condition involves another "precise engagement to have the whole of "the railway communication finished in "1890. There are the strongest possible "objections to again adopting a precise "time for the completion of the lines."

Then the Minute in Council proceeds to say:—

"There can be no doubt that it would be an extremely difficult task to obtain the sanction of the Canadian Parliament to any specific bargain as to time, considering the consequences which have already resulted from the unwise adoption of a limited period in the terms of Union for

the completion of so vast an undertaking; the extent of which must necessarily be very imperfectly understood by people at a distance. The committee advise that Lord CARNARVON be informed that, while in no case could the Government undertake the completion of the whole line in the time mentioned, an extreme unwillingness exists to another limitation of time; but if it be found absolutely necessary to secure a present settlement of the controversy by further concessions, a pledge may be given that the portion west of Lake Superior will be completed so as to afford connection by rail with existing lines of railway through a portion of the United States and by Canadian waters during the season of navigation by the year 1890 as suggested."

At page 40 the same Minute in Council says:—"It only remains to say that "the Government, in making the new pro- "posals to British Columbia, were actua- "ated by an anxious desire to put an end "to all controversy, and to do what is "fair and just under very extraordinary "circumstances, and that these proposals "embraced the most liberal terms that "public opinion would justify them in "offering." The Minute in Council also points out clearly to Lord CARNARVON, with reference to the complaint that nothing was being done by the Dominion Government towards commencing or pushing on the railway from Esquimault to Nanaimo, that:—"The Dominion has no engage- "ment to build such a railway, and there- "fore there can be no just complaint "that it is not commenced. The con- "struction of such a railway was offered "only as compensation for delay in ful- "filing the engagement to build a railway "to the 'Pacific seaboard.'" Now, sir, I maintain that the expressions in these despatches, with reference to the state of public opinion and to the difficulty, if not impossibility, of inducing Parliament and the country to extend further concessions, truly and correctly made. I maintain that the difficulties in which the country may be involved by these extra concessions are very serious. Having regard to the very favourable financial engagements which the First Minister was able to make, having regard to the large sums that, upon very favnrable terms he was able to borrow without trenching on the reserve of the Imperial guarantee, and assuming a concurrence of favorable circumstances for a period of years yet to come, assuming a reasonable share of prosperity—reasonable at any rate, if it had not been enjoying a very extraordinary share of prosperity for some years past—assuming a continuance, I say, of that prosperity, it is possible that this country may be able to comply with these conditions. But, for my own part, I repeat my regret that the terms proposed should have been acceeded to. I repeat my regret that we should have agreed to a larger minimum of expenditure than $1,500,000, which was more than British Columbia had herself asked for in the first instance. I repeat my regret that the agreement made contained a new time limitation when almost all the circumstances which in the judgment of hon. gentlemen with whom it was my happiness to act, rendered it imprudent to attempt to fix such time limitation; these circumstances being the impossibility of knowing within what time we could construct this railway, and at what cost, while the surveys were in their then condition. I said almost all, because I admit, of course, that some, I will say considerable, progress has been made in the work of surveying, and, therefore, it was nearer possible to come to some sort of conclusion, but how little possible to come to any reasonable conclusion, is to be demonstrated from the fact that even the 45 miles from Thunder Bay to Lake Shebandowan. as to which things have progressed so far that a contract is about to be let for the grading, and my hon. friend was unable to give even an approximate estimate of what the cost of the road would be, and was only able to tell us what would be the cost of the grading and superstructure. How much more impossible to form any estimate of what would be the cost of a road about which there is very little accurate information. Look at this country! The hon. member for Vancouver has referred to an observation I made with reference to the character of British Columbia as a country for railway construction. I think the speech of the First Minister to-night has vindicated the position I then took. What is the tract of country which the hon. Minister told us was most advanced as to survey? It is that part of the route which goes from Yellow Head Pass down a certain

distance, thence by the north branch of the Fraser, and so to Bute Inlet. The distance from Yellow Head Pass to Bute Inlet, in an air line, is about 255 miles. Now, what is the distance by the route which the First Minister has spoken of as a favorable route and which, very possibly, I may say, probably, may be selected. It is no less than 500 miles, so that in order to get over a country, which is 255 miles across, you have to build a railway of 500 miles. In view of that fact I say I am justified in calling British Columbia with reference to railway construction an inhospitible country. But it is not merely to justify myself that I make that observation. It is to call the attention of the committee to the important fact that it is even now presumed to be possible, if not probable, that we may have to double the air line mileage in order to accomplish the connection between Yellow Head Pass and the sea board of the Pacific; and to say that an enterprise which involves difficulties so great as that is one with reference to which we ought to be very cautious in making pledges. It is quite true there is another route very much shorter, projected—a route which goes by the valley of the Fraser, but it involves difficulties of construction as the First Minister has stated. It involves works of an expensive character which may make it more costly than the building of five hundred miles of the other route. Now, Sir, under these circumstances, for my own part I regret that the Government has felt in necessary to yield to the extent to which they did yield to the request of Lord CARNARVON. I desire to speak with every respect of that nobleman in his personal and in his political position. But I must say that I believe that the people, the Parliament, and the Government of this country are better able to appreciate the circumstances under which we stand, better able to appreciate the obligations which my hon. friend proposes us to enter into. I say that at this time of day we are unfit for our position here if we are not prepared temperately and respectfully, yet firmly to assert that proposition. And I think my hon. friend would not be prepared to accept the dictum of any man however respectable or able, with the partial information which he must possess, as to all the complicated conditions with which this problem is surrounded. It is not the Colonial Secretary, it is not the Imperial Government that has to raise the money to build this work. It is upon Canadian credit, by Canadian enterprise, and at Canadian cost, and Canadian risk that this work is to be accomplished; and it is therefore by the free voice and decision of the people of Canada that the terms, in my judgment, upon which that work shall be constructed are to be fixed. I believe these views meet the acceptance of my hon. friend, who has taken the whole responsibility of recommending these terms to the House and to the country. I do not deny that the difficulties arising out of the imprudent bargain made with British Columbia are such as justify the Government in asking, what I believe they will receive at our hands, the greatest consideration and forbearance with reference to the settlement of this question. But I do say that if we accept the arrangement which the Government propose to us, we accept it because we believe it best in the interest of this country to do so—not because Lord CARNARVON said so. There is one observation of my hon. friend which I heard with some regret. I had put a question upon the paper with reference to this arrangement, which my hon. friend answered in anticipation, accompanying his answer with some explanations. We all recollect the attitude that the people of British Columbia assumed when the proposal was made for a modification of "the terms" of Union. The people and the Legislature took alarm, and I believe the Legislature declared that no alteration of these terms should be made without the people themselves having an opportunity of pronouncing upon an alteration by the usual constitutional mode. I do not object to that demand being made. I do say that the people of British Columbia might fairly have called upon the Government of that Province not to assent to any alteration of "the terms" without the concurrence of their representatives in Parliament assembled. It appears to me that the people of Canada ought also to be called upon, through their representatives in Parliament assembled, to deal with the settlement that had been made by the Government, either in the way of affirming or disaffirming of the course pursued. This is the view which I think the despatch indicates was taken by

the Government at one time. In one of the despatches of our Government, to which I have already referred, the Privy Council point out that it would be extremely difficult to induce Parliament to consent to any further concession. Well, that further concession has been made. We are told that Parliament has not to be asked whether it will consent to it or not—that it is to be treated as a final concession made without the assent of Parliament. I think that that decision is to be regretted. My hon. friend has been offered already the support of the hon. member for Cumberland and his friends in support of these proposals. Of course it could not be refused. They were modifications of an improvident bargain which the late Government had made, and which were necessary in order that that bargain might be carried out; and therefore the hon. member for Cumberland could not do otherwise than offer his cordial support to the Government in reference to these proposals. Nor do I doubt that the majority of this House are prepared to assent to them also. At the same time my own opinion is that they are imprudently liberal, but the view which I wish to place more pointedly before the House is that whether liberal or otherwise, the opinion of Parliament ought to be asked and taken upon the question whether they are to be obligatary upon this country. I think that it would be the more prudent course, not only in respect of our own rights, but with regard to the rights of the smaller Provinces. We are dealing with the Province which, next to Manitoba, is the smallest in the Dominion. We are dealing with the Province in respect to which our obligations have not been implemented. We are arranging for the alteration of the terms, and I think if we were disposed, as I suppose a majority of the House is disposed, to agree that these terms should be so altered, the people of British Columbia would be better satisfied if the new arrangement rested upon statutory enactment rather than upon simple executive action as now proposed. Therefore, whether we look at the interests of the Canadian people alone, or at the spirit in which these proposals are to be accepted by the people of British Columbia, I venture respectfully to represent to the First Minister that the more prudent course would have been to give us an opportunity of pronouncing upon these proposals.

M. CIMON—Je me lève pour relever quelques paroles malheureuses, prononcées par l'hon. député de Chateauguay. Quoique qu'ils puisse sembler audacieux qu'un jeune membre comme moi s'attaque à un ancien député comme le député de Chateauguay, je manquerais à mon devoir en ne relevant pas les paroles injurieuses qu'il a prononcées à l'égard de la Législature de Québec. Ces paroles, M. le Président, l'hon. député de Chateauguay les regrettera tout le temps de sa vie. Il a osé dire que cette Législature était une " Législature *moribonde, avilie, déshonorée*, et que l'adresse qu'elle a unanimement adoptée au sujet du terminus du chemin du Pacifique ne valait pas le papier sur lequel elle était écrite, et était indigne d'être considéré. Ces paroles sont d'autant plus malheureuses qu'il n'y a pas encore deux ans, le député de Chauteauguay faisait partie de la Législature qu'il a si gravement insultée. Est-ce donc, que, dans l'opinion de l'hon. membre, il résumait toute la sagesse, toute l'honorabilité, toute la capacité qu'il y avait dans cette Législature, et que maintenant qu'il en est sorti, il ne reste plus rien de ces bonnes qualités ? L'hon. député de Chateauguay n'a excepté aucun membre de la législature de Québec. Il a enveloppé ses propres amis dans la même condamnation, et les a par conséquent traités eux-mêmes de *moribonds*, d'avilis, (tarnished). Ainsi, suivant le député de Chateauguay, M. JOLY, que le parti du député de Chateauguay élève sur un piédestal, serait lui-même un *moribond*, déshonoré (tarnished).

L'hon. M. HOLTON—Si l'hon. député de Chicoutimi veut me le permettre, je lui dirai que l'expression *moribonde*, si elle a la même signification en anglais qu'en français. . . . . .

L'hon. M. CAUCHON—Oui, c'est la même chose.

L'hon. M. HOLTON—Cette expression veut dire à la veille de mourir, de s'éteindre, à raison de ce que son terme est expiré. J'ai appliqué cette expression à la législature, politiquement, et non pas aux membres qui la composent individuellement. J'aurais bien du regret que M. JOLY ou tout autre membre de la législature de Québec fussent à l'article de la

mort—ou fussent des *moribonds*, comme el dit le député de Charlevoix, qui devrait mieux savoir que de m'imputer l'intention d'être personel et injurieux.

M. CIMON—Je savais bien qu'étant un jeune membre de cette Chambre, je serais traité sévèrement par l'hon. député de Chateauguay, mais je n'en maintiens pas moins ce que j'ai dit, car je respecte et j'admire la législature de Québec, qui, loin de mériter d'être traitée avec mépris, a mérité, par ses actes et ses travaux, la reconnaissance du pays. C'est cette législature qui va donner à la Province de Québec, le chemin de fer du Lac St. Jean, de la Baie des Chaleurs, de Kennebec, de Sherbrook, le St. Francis International, et qui a voté $30,000 pour construire sur l'Ottawa un pont destiné à relier le chemin de fer de Colonisation au chemin du Pacifique ; c'est cette législature qui, entre autres actes patriotiques, a passé une mesure très favorable au repatriement de nos compatriotes aux Etats-Unis. Cependant c'est cette même législature que le député de Chateauguay a traitée avec tant de sévérité quand il l'a qualifiée de *moribonde, avilie*, déshonorée, (tarnished), et dont il a dit que ses demandes au sujet du Pacifique ne valaient pas le papier sur lequel elles étaient écrites. Ah ! je comprends, quand je vois Québec traité avec autant de mépris, pourquoi l'amnistie demandée par cette même législature s'est changée en bannissement pour RIEL et LÉPINE. Une autre parole déplorable que je dois aussi relever, a échappé à l'hon. député de Chateauguay. Je croyais l'hon. membre un modèle de sagesse, qui ne parlait jamais de sa Province que pour la rehausser dans l'esprit public. Les hons. membres de la droite rient, et cependant si je ne m'étais levé pour relever l'outrage fait à la Province de Québec, pas un d'eux n'aurait eu le courage de la faire respecter, notre législature locale. Cette législature doit mériter, comme tout autre législature locale, le respect du Parlement Central. Qu'arriverait-il si chacun dans cette Chambre insultait, qui Ontario, qui le Nouveau Brunswick, qui la Nouvelle Ecosse, et ainsi de suite ? Si nous ne nous respectons pas les législatures des diverses Provinces, la constitution ne pourra fonctionner ; car le premier devoir que commande la constitution, c'est de respecter les représentants élus et si on ne les respecte pas, on jette du mépris sur la constitution même.

Je reproche de plus au député de Chateauguay d'avoir accusé le député de Terrebonne d'être sectionnel et *audacieux* parcequ'il a eu le courage de revendiquer les droits de la Province de Québec. Qu'a dit le député de Terrebonne ? N'a-t-il pas fait que demander la plus simple justice, en disant : Nous avons des droits acquis à ce que le terminus du Pacifique soit mis à tel endroit que toutes les Provinces puissent en bénéficier. Nous voulons que la Province de Québec, qui contribue largement aux frais de construction de ce chemin dont pas un pouce ne se fera chez elle, puisse avantageusement atteindre ce terminus. Certes, si l'hon. député de Chateauguay eut écouté le député de Terrebonne, il ne l'aurait pas accusé d'être sectionnel. Mais est-ce qu'il doit être défendu à la Province de Québec de réclamer ses droits et de faire valoir ses intérêts ? Toutes les autres Provinces le font constamment. Tous les jours, nous entendons les membres de la Nouvelle Ecosse, du Nouveau Brunswick, d'Ontario, dire que leur Province est maltraitée, et demander justice, et nous, de la Province de Québec, nous leur rendons justice. Mais si un membre de Québec réclame justice pour sa Province, on lui dit qu'il est sectionnel. Il appartient aux membres de l'Opposition de faire valoir les droits de Québec. On n'a pas encore vu un seul membre ministériel de la Province de Québec le faire. C'est un fait remarquable et sur lequel j'attire l'attention de la Chambre et du pays. En résumé, M. le Président, je dis qu'il n'appartenait pas au député de Chateauguay, ni à personne d'insulter la législature de Québec, non plus que d'accuser le député de Terrebonne d'être sectionnel, lorsque, au nom de l'intérêt général, il venait tout simplement de faire valoir les droits et les intérêts de la Province de Québec. M. le President, j'ai peut-être eu tort, en ma qualité de jeune membre, de porter la parole comme je l'ai fait, mais j'aurais cru manquer à mon devoir en ne protestant par contre la double injure faite à la législature et à la Province de Québec par le discours de l'hon. député de Chateauguay.

Hon. Mr. HOLTON assured his hon. friend that he had applied the term "moribund" to the Quebec Legislature, and not to any individual member or members of it, He (Mr. HOLTON) would be pained to the last degree, to hear that his friend Mr. JOLY was moribund.

M. MOUSSEAU—M. le Président, la question en elle-même, la construction du chemin du Pacifique est déjà réglée depuis longtemps. Plusieurs votes l'ont consacrée et nos statuts en contiennent la solution. Son importance n'a jamais fait de doute et sa construction est considérée comme une nécessité absolue. Il ne s'agit maintenant que des détails, détails importants, si l'on veut, puisqu'il s'agit de la dépense de $6,290,000. Sur cette somme il doit être pris celle de $500,000 pour la construction de l'embranchement de la Baie Georgienne. Nous avons pu voir dans la presse les détails d'un contrat pour la construction de la ligne de la Baie Georgienne au lac Nipissingue et au fort Douglas. Le député de Cumberland a démontré que cette voie coûterait $6,290,000 et le député de South Bruce n'a pu réussir à entamer ce calcul. Le seul point sur lequel il a jeté du doute, c'est celui de la valeur des terres. Ceux-là qui sont familiers avec la valeur de telles terres sur le marché anglais et aux Etats-Unis savent tous quelle augmentation considérable se produit sur le prix de ces terres, du moment qu'elles sont ainsi livrées à la colonization et à mesure que les établissements se font. J'ai par devers moi une longue liste de ces exemples, et puis prouver que l'augmentation est de cent à mille pour cent. Le prix des terres, dans la plupart de ces cas est de $3 à $13. Quand, donc, l'hon. député de Cumberland a évalué les terres en question à $2 l'acre en moyenne, il était bien au-dessous de la valeur réelle, si l'on en juge par ce qui est arrivé aux Etats-Unis. Quant à la Province de Québec, que le député de Chateauguay dédaigne tant, il faut observer que non-seulement on nous a fait perdre les avantages que nous avions d'après les arrangements de 1872, mais on a de plus ajouté des lignes qui auront l'effet de priver Québec de ses droits acquis. La Province de Québec n'a pourtant exprimé que des prétentions modestes ; elle n'a pas réclamé des avantages indus ; elle n'a demandé et ne demande encore que ce qu'il y a de plus naturel au monde. Nous demandons qu'on examine nos renseignements, nos tracés, afin de juger de la justesse de nos prétentions, que le chemin pour se rendre à Douglas devrait prendre la route du Nord de l'Ottawa en passant par le Matawan. Le premier ministre, d'ordinaire si franc dans ses exposés, n'a pas tenu compte des faits certifiés par M. LEGGE et le député de Terrebonne. MM. SHANLEY et CLARK ont aussi fait des exploration avec les instruments requis, dans le Matawan, lorsqu'il s'est agi d'y faire un canal. Sir WILLIAM LOGAN a aussi exploré ces régions, et leur rapport a été loin d'être défavorable à cette partie du pays. Dans tous les cas, le premier ministre lui-même a été forcé d'admettre que ses renseignements sont insuffisants. Pourquoi donc précipiter la confection du chemin avant de s'être assuré par les moyens convenables des avantages que pourraient présenter la route la plus favorable à la Province de Québec ? C'est ce que la législature de la Province de Québec a représenté dans les résolutions qu'elle a adoptées et qu'il me fait peine de lire, après surtout que le député de Chateauguay a déclaré qu'elles n'en valent pas la peine.

" Considérant, que la Province de Québec sera appelée à payer une proportion considérable du montant requis pour construire le chemin du Pacific et pour subventioner la ligne qui reliera son terminus aux voies ferrées maintenant existantes ou en construction, sans qu'aucune partie de ces travaux ne paraisse devoir être faite sur son territoire ;

" Qu'en conséquence la Province de Québec doit s'attendre à ce que dans la localisation du terminus du Pacifique aussi bien que dans le tracé d'une ligne reliant ce terminus aux lignes ferrées existantes ou en construction, ses justes droits soient reconnus autant qu'ils ne porteront pas atteinte à l'intérêt général de la puissance ;

" Considérant, que d'après les rapports d'hommes éminents sur la nature et la configuration du terrain, il résulterait que tant pour la branche du Pacific à l'Est de la Baie Georgienne, pour la ligne à être subventionnée par le Gouvernement un tracé qui suivrait le Matawan, présenterait la route la plus économique, la plus facile et la plus prompte pour l'écoulement du vaste commerce de l'Ouest et du Pacific ;

" Qu'il soit résolu que la Province de Québec prie SON EXCELLENCE le GOUVERNEUR GÉNÉRAL de bien vouloir ordonner une exploration minutieuse du terrain et des différentes voies proposées avant que de se décider sur l'adoption d'aucune d'elle ;

" Et que dsns le cas où l'exploration prouverait qu'une ligne préférable à celle de la Matawan existe au sud de la rivière Ottawa, la ligne a être subventionnée par le Gouvernement soit amenée à Pembroke et non à Renfrew, ou une jonction avec le système de voie ferrée de la Province de Québec est impossible, vu les dépenses énormes qu'elle entraînerait ;

" Que la ligne devant relier le Pacifique avec les autres voies ferrées, soient suffisamment sous le contrôle du Gouvernement Fédéral, pour assurer pleine et égale justice, à toutes les compagnies de chemin de fer qui désireraient se mettre en communcation avec le Pacific ;

" Que le LIEUTENANT-GOUVERNEUR de la Province de Québec, soit respectueusement prié de transmettre ces résolutions à SON EXCELLENCE le GOUVERNEUR GÉNÉRAL.

On voit, M. le Président, par les résolutions que je viens de lire, que la législature de Québec, que l'on accuse d'être impotente et sans capacité, pose la question de la manière la plus humble et la plus modeste, en même temps que la plus juste et la plus rationnelle, quoiqu'en ait dit l'hon. député de Chateauguay, qui a bien mérité la sévère leçon que lui a donnée le député de Charlevoix pour se poser ainsi en Jupiter Tonnant et appliquer l'épithète de *moribond* à la législature de Québec, qu'il a non-seulement taxée de nullité mais en même temps d'être avilie et déshonorée. On est encore en droit de dire avec vérité, malgré les insultes du député de Chateauguay, que la législature de Québec, par sa dignité, l'indépendence et le caractère élevé de ses membres, sa conduite honorable et l'importance qu'elle a eue dans ce Parlement, a bien mérité du pays. M. le Président, il me fait peine d'avoir à m'occuper maintenant de la réponse si peu satisfaisante que l'hon. Ministre du Revenu de l'Intérieur a faite aux objections de mon honorable ami le député de Terrebonne, dont il n'a aucunement attaqué les arguments. Il s'est borné à dire que nous avions demandé en 1872, précisément ce que le Gouvernement fait aujourd'hui. Ce qui revient à dire que l'entreprise étant à faire, nous n'avions pas le droit, sous des circonstances différentes, de promouvoir par des moyens meilleurs, les intérêts de notre province et du pays en général. Je ne trouve ni convenable ni patriotique cette manière de raisonner sur les grandes questions, et je regrette que l'hon. ministre ait cru y avoir recours et se soit servi dans ce but de citations tronquées. Les fais historiques, retracés avec bonne foi, remettront les choses dans leur lumière exacte et tel qu'il convient pour la Chambre d'un grand pays. Si on n'entendait que le Premier Ministre, on ne comprendrait pas les vues de ceux qui dès 1870 et 1872 entreprenaient, sur l'avis et l'expérience présumée, de M. HULBURT de sillonner le pays de chemin à lisses en bois. Le chemin de Colonisation du Nord était alors à l'état d'embrion ; on croyait faire un chemin à lisses de bois et à jaugeage étroit pour le transport du bois de corde à Montréal. C'était aussi le moment où le chemin Gosford était entrepris—on sait quel grâce à la sévérité de notre climat, ce premier essai a avorté. Lorsque le Gouvernement de Québec se décida à venir en aide aux chemins de fer de la province, la face des choses changea et le petit chemin de St. Jérôme devint le grand chemin de Colonisation qui devait être relié au Pacifique et compter parmi les plus importantes voies ferrées de la Province. Le chemin de Colonisation du Nord fut donc entrepris, pendant que celui de Gosford échouait. En 1871, l'annexion de la Colombie à la puissance consacra le projet de la confection du chemin du Pacifique, comme condition de cette annexion, et en 1871-2 il fut question d'amalgamer le chemin de fer de Colonisation et le Canada Central comme moyens de relier les deux lignes à la grande voie du Pacifique, et d'assurer à la Province de Québec tous les avantages en dérivant. La politique des octrois du Gouvernement de Québec aux chemins de fer, inaugurée en 1873, ne fut appliquée qu'en 1874 ; et comme on n'avait pas encore en Janvier 1872 passé la statut qui devait assurer la construction du Pacifique, il ne pouvait être question alors de relier le chemin de fer de Colonisation avec celui du Pacifique. Plus tard le Canada Central et le chemin de Colonisation s'étant brouillés, leur projet de connexion avec le Pacifique fut abandonné. L'octroi de Québec fut efficace puisque le chemin est en grande partie construit. Il a été question de le relier avec le Pacifique, et c'est ce qui aurait dû être fait ; mais lorsque l'on vit qu'on aurait l'aide de Québec on résolut unanimement de faire la connexion et pour cela on fit en 1874 des explorations pour faire pousser le chemin jusqu'à la rivière Creuse et plus loin, si possible, jusqu'au lac Nispissingue. On avait cru découvrir que c'était la ligne la plus courte ; mais le premier ministre prétend aujourd'hui que tel n'est pas le cas. Le Gouvernement de Québec accordait suffisamment pour faire la connexion avec le chemin du Pacifique, sans l'aide fédéral ni l'amalgame avec le Canada Central. Eh bien ! M. le Président, en face des désirs de la Province de Québec, lesquels sont on ne peut plus justes et raisonnables, on doit décider 1o. de dédaigner ses représentations et l'état des choses réel dans une question comportant la dépense de sept ou huit millions de piastres. 2o. qu'on ne peut rien faire parce que nous-mêmes en 1872, dans le temps où le chemin de colonisation n'avait pas d'aide, où la politique du gouvernement

de Québec n'était pas encore de sillonner le pays de chemins de fer, nous n'avions pas prévu tous les changements qui sont arrivés depuis. Est-ce pour de telles raisons, M. le Président, que l'on doit repousser les représentations de la législature de Québec, mépriser cette législature même et passer outre aveuglement? Non, et j'espère que l'item proposé ne rencontrera pas, sous ces circonstances, le concours qu'il devrait avoir, seulement après un rejet justement motivé des propositions de la province de Québec.

En résumé, la Province de Québec dit : je prétends avoir des droits ; voici mes titres. Au moins, ne me condamnez pas sans les examiner. Néanmoins, le premier ministre et son gouvernement veulent nous condamner sans nous entendre. J'ose encore espérer que cette injustice ne sera pas commise contre la Province de Québec.

Mr. WRIGHT (Pontiac) gave notice that he would on concurrence move an amendment.

A brief discussion ensued as to whether the debate should be adjourned.

Hon. Mr. MACKENZIE said he wished the vote to be passed to-night, and promised that the same liberty of discussion would be allowed on concurrence as in Committee of the Whole.

Mr. THOMPSON (Cariboo) said that as the new terms to British Columbia had been accepted, he would not oppose them, but there were certain features in connection with the Government scheme to which he objected.

Hon. Mr. MACKENZIE—I have no scheme to present to the House. I am simply asking a vote of money to carry out the law of the land.

Mr. THOMPSON hoped the law of the land would be carried out in a satisfactory manner. He objected to a system of mixed land and water communication, and desired to see a continuous line of railway stretching across the whole continent. It was to be hoped that the money which was now being voted would be used to prosecute the work with the greatest energy, for he believed that every dollar spent on the road would add to the prosperity of the country. He denied that the petition of certain parties on the main-land, referred to in the Minute of Council, indicated any willingness on the part of the people to accept the terms proposed by Mr. EDGAR, and he challenged the hon. member for South Bruce, who had referred to that petition, to point out a single clause in it which would bear out the view that the signers of it were willing to accept those terms. The statement made in that same Minute of Council that there was every reason to believe that a majority of the people of British Columbia accepted the proposals of Mr. EDGAR was entirely incorrect, as he knew from his own personal knowledge. Another statement contained in the Minute of Council was equally incorrect, viz. : that assurances had been given to the Government by a gentleman of high position, an ex-member of the Legislature, that the proposals were favorably received by the people, and he would guarantee that the people would accept them. He (Mr. THOMPSON) thought he knew who the gentleman referred to was ; but he knew this much that in British Columbia there was no man who could presume to act the part of dictator. However, he might add that the people of British Columbia were willing to accept any measure that would relieve the Government from their embarrassment. Before he sat down he wished to ask the Minister of Public Works whether it was the intention of the Government to construct the telegraph line and put it in working order before the line of railway was located. This was a point of some importance, because if the telegraph line were constructed where it was supposed the road would go, and subsequently the line were changed, another telegraph line would have to be built.

Hon. Mr. MACKENZIE said it was intended to build the telegraph line along the railroad.

Hon. Mr. TUPPER said it was quite evident that a good many members wished to continue the discussion, and as the hour was late, he hoped the First Minister would agree to an adjournment of the debate. In his opinion, the vote which the committee were called upon to pass involved not only matters of new policy, but also a question of illegal expenditure. There was no law upon the statute book whatever, with reference to contracts for a Canadian line of telegraph. The law provided that the Government might contract for the building of telegraph lines after the location of the line of railway.

But there was a contract already let in British Columbia for one hundred miles of telegraph, although the line of railway was not yet located. Then he held that the contract for the Thunder Bay branch of the railway was not provided for by law. Therefore, he hoped, in view of these important considerations, that the Government would agree to an adjournment of the debate, as it was impossible that these questions could otherwise be properly dealt with.

Hon. Mr. MACKENZIE repeated his promise of allowing the utmost freedom of discussion on concurrence, but said it was important that the supply should be advanced a stage to-night. As to the remarks of the hon. gentleman that the Government were asking an illegal vote, that was merely the hon. gentleman's opinion. The Government were quite satisfied they were acting in a legal manner.

Mr. WRIGHT (Pontiac) asked if the eastern terminus of the Georgian Bay branch was definitely settled at Douglas, or whether Pembroke was still in a position to expect that it might become the terminus.

Hon. Mr. MACKENZIE—I cannot tell the precise point, but it is somewhere between Douglas and Pembroke. The words used in the contract, I believe, are that the terminus shall be in the vicinity of Douglas, but the precise point, I think, is not yet determined.

Mr. BUNSTER said the people of British Columbia did not wish for anything that would be unjust to the rest of the Dominion. They had, perhaps, more enlarged views on this subject than other residents of Canada. They wished to have the railroad prosecuted vigorously, becaused they believed the Dominion as a whole would benefit by it. He invited Parliament to hold its next session at Victoria where they would be treated hospitably and have their ideas enlarged. The same propositions, in effect, which he offered last year to Parliament and for which he received but five votes, were now submitted by the Government, and he felt that he had every reason to be satisfied with the course he had pursued on that occasion. He was proceeding to discuss the question at more length when at the suggestion of several members, he agreed to yield the floor, and allow the item to be passed on the understanding that the fullest liberty of discussion would be allowed on concurrence.

The item was then passed, and the committee rose and reported progress, and the House adjourned at 2 a.m.

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ERRATUM.—Read after the word "John" in the 12th line of Mr. PALMER'S speech 2nd March, page 6, the following words, "at the falls" instead of before the words "at Navy Island."

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HOUSE OF COMMONS.

Monday, March 8th, 1875.

The SPEAKER took the chair at three P. M.

PETITION OF J. B. FRASER & CO.

Mr. DOMVILLE moved that the petition of J. B. FRASER & Co., be referred to the Committee on Public Accounts, and that the petitioners be heard by themselves, their counsel, agents and witnesses upon their petition.

Hon. Mr. HOLTON said there was a notice of this motion upon the Order Paper, and it should take its turn.

Mr. DOMVILLE said this was the first convenient moment since the presentation of the petition for making this motion, and as it was a case of urgency, he hoped the motion would be allowed to be put now.

Mr. SPEAKER—The question of urgency might have been raised on Friday when the petition was received.

Sir JOHN A. MACDONALD observed that the committee were sitting from to-day, and if the House was willing that the petitioners should be heard by counsel, it was important that permission should be granted without delay.

Hon. Mr. HOLTON said his hon. friend would remember that there was another order specially fixed for to-day, and it would not be fair to allow it to stand over in order that the House might take up this motion out of its order, especially as it was a motion which would give rise to a long debate. He therefore objected to the consideration of this motion now.

The motion was ruled out of order.

CIVIL SERVICE.

Hon. Mr. CARTWRIGHT introduced Bill respecting the Civil Service of Canada.

Mr. WOOD asked if the Bill was confined to the Civil Service at Ottawa, or did it apply to the outside service also.

Hon. Mr. CARTWRIGHT said the Bill was intended to deal with the Civil Service at headquarters only. Officers of the outside service would be dealt with departmentally. A considerable number of increases of salaries had been made in the outside service already, particularly in the Customs Department. He would not say that all the cases had been fully considered, but they were being considered, and each case would be dealt with upon its merits by the department.

Bill read a first time.

PRIVATE AND LOCAL BILLS.

The following Private and Local Bills, passed through Committee of the Whole, were read a third time and passed :—

Mr. MOSS—To change the name of the Imperial Building, Savings and Investment Company to that of the Imperial Loan and Investment Company.

Mr. CAMERON (South Ontario)—To amend the Act incorporating the London and Canada Bank, and change the name to "The Bank of the United Provinces."

Mr. BABY—To incorporate the Industrial Life Insurance Company.

Mr. FRECHETTE—To incorporate La Banque St. Jean Baptiste.

THE LEPINE COMMUTATION.

Mr. SPEAKER read a message from HIS EXCELLENCY transmitting copies of further correspondence which has taken place with the Secretary of State for the Colonies, relating to the commutation of the sentence of death passed on AMBROISE LEPINE for the murder of THOMAS SCOTT at Fort Garry.

CORRUPT PRACTICES AT ELECTIONS.

Mr. CASGRAIN asked whether it is the intention of the Government to take any steps or proceedings, in so far as regards the privileges of this House, against such witnesses as are reported by the Election Judges or Election Courts as having been guilty of corrupt practices, or otherwise, at the elections held for the present Parliament ; and if so, when, and in what manner?

Hon. Mr. FOURNIER—I have to inform the hon. gentleman that the election law of 1874 provides that suits against such offences ought to be taken within twelve months. I believe that the twelve months have now expired in most cases, but I draw the attention of the hon. gentleman to several clauses of the Election Act providing specially for the punishment of those cases by the judges when trying the elections. I believe that if these provisions had been complied with they were quite sufficient to meet the case mentiontioned by the hon. gentleman. I refer him to the clauses giving the Judge the power during the trial to summon to appear before him any elector or officer who has been proved or against whom evidence has been given of having committed any offence under the Act, the power to try him summarily. If this had been complied with, it would have been sufficient.

Mr. CASGRAIN—There is one part of the question which the hon. gentleman has not answered ; I mean in so far as the privileges of this House are concerned.

Hon. Mr. FOURNIER—The House has divested itself of all control in such cases, leaving it to the Judges to deal with them.

PENSIONS TO VETERANS.

Mr. STEPHENSON inquired as to the *modus operandi* necessary to enable veterans entitled to pensions for military services rendered, to obtain such pensions from the Canadian Government.

Hon. Mr. MACKENZIE—The mere mode of obtaining the pensions will, of course, be contained in the regulations to be adopted and published in the *Gazette* as soon as the money is at the disposal of the Government.

ALLOWANCES TO POSTMASTERS.

Mr. GREENWAY asked whether, in view of the recent great reductions in postage rates, it is the intention of the Government to increase the allowances to postmasters?

Hon. D. A. MACDONALD—It is not the intention to increase the salaries of postmasters ; but the amount to be paid to them will not be less than now in consequence of the reduction on newspaper postage.

ORDNANCE LANDS AT FREDERICTON.

Mr. DOMVILLE asked whether the Government have sold any portion of the Ordnance Lands in Fredericton fronting on the river in the centre of the city to Messrs BURPEE & TEMPLE or other parties. If so, what quantity of land; also price paid or to be paid for same and terms?

Hon. Mr. MACKENZIE—The Government have not sold any of these lands. Application was made by the railway company owning the line from the junction to the city for a portion of those lands. Lieut.-Colonel MONSELL, Deputy Adjutant General, was requested to value these lands. He valued the portion applied for at $6,000. Subsequent information led the Government to believe that the lands were worth more, and no sale was carried out. If sold now, it will be by public auction.

THE TREATY OF WASHINGTON.

Mr. PALMER asked whether it is the intention of the Government to take any and what measures to secure to Canada at as early a day as possible the amount of compensation to which she is entitled by the 22nd Article of the Treaty of Washington?

Hon. Mr. MACKENZIE—The Government have already taken the necessary steps to have an arbitration brought on as speedily as possible.

NEW BRUNSWICK SCHOOL LAW.

Mr. COSTIGAN said that, before placing in the hands of Mr. SPEAKER the motion which he intended to move in reference to the New Brunswick School Law, and on which he would ask the House to vote, he desired to offer some remarks to explain why he expected hon. members would vote in favor of the proposition which he would submit. He believed if he was justified in 1872 in moving a resolution on this subject, and raising a discussion thereon, there was greater reason for action at the present time; if he believed he had a right to claim the sympathy and assistance of the Dominion Parliament at that time on this question, hon. members must admit that the necessity for their aid existed to a greater extent to-day. At the risk of being thought somewhat tedious, he felt called upon to thoroughly discuss the question, because he felt he would not be discharging his duty if he did not repeat any important matters that had occurred in previous debates for the information of hon. members who were absent during previous discussions. In order that the House might thoroughly understand the position which the minority of the people of New Brunswick occupied he called attention to the fact that for many years previous to 1858 they enjoyed to all intents and purposes a system of separate denominational schools. In 1858 when the question came up for legislation and the new law was to be framed; the different sentiments of the people were laid before the Legislature by petition. Upwards of one hundred petitions were submitted, of which five sixths asked that the privelege enjoyed by the Catholic population of maintaining separate schools might be respected in any future legislation. A few petitions were placed before the Legislature asking that no principle of Sectarian Education should be recognized, while other gentlemen, including some clergymen, prayed that no public grant of money should be given to any school in New Brunswick in which the Bible was not read daily. The Act of 1858—in the only section that applied to this case—was one which related to the duties of teachers. The section is as follows:—

"Every teacher shall take diligent care, and exert his best endeavors to impress on the minds of the children committed to his care, the principles of Christianity, morality and justice, and a sacred regard to truth and honesty, love of their country, loyalty, humanity and a universal benevolence, sobriety, industry and frugality, chastity, moderation and temperance, order and cleanliness, and all other virtues which are the ornaments of human society; but, no pupil shall be required to read or study in or from any religious book, or join in any act of devotion objected to by his parents or guardians; and the Board of Education shall, by regulation, secure to all children whose parents or guardians do not object to it, the reading of the Bible in parish schools—and the Bible, when read in parish schools by Roman Catholic children shall, if required by their parents or guardians, be the Douay version, without note or comment."

It was true that hon. members might arrive at different conclusions as to the true meaning of this section. The hon. member for South Bruce in his speech in 1872 seemed to be forcibly struck by the wording of this Act, for he said:—

"He had considered from time to time since the early discussion of the subject the very difficult question of the proper interpretation of the Act with reference to the state of the law existing in New Brunswick on the subject of schools, and he was quite free to confess that, upon that subject, his opinion had fluctuated, and any opinion he might then give would be given with much doubt and reservation. There was much to support in the argument put forth by the Minister of Justice in his Minute of Council. It was a conclusion at which the hon. gentleman might well have arrived, and might possibly be a correct one; but he would point out a few circumstances in connection with the Act which would lead to a different conclusion. He quoted from the British North America and School Acts of New Brunswick, and endeavored to show that, although the system of denominational schools was not actually established by law, still denominational teaching in the public schools was practically acknowledged, and deeply regretted the course pursued by the Legislature of New Brunswick in inserting in the new school Act a clause providing that every school under that Act shall be non-sectarian. That clause must have been inserted for a purpose and with an object. He understood that there were large sections of New Brunswick where the people were exclusively Roman Catholics, and the elasticity of the old law allowed those communities to conduct their schools according to their own views. The change in the law, as it operated upon the Roman Catholics was a harsh change and was not necessary to satisfy the scruples of Protestants."

A perusal of the amendments showed that there was one point clear, that religious instruction was provided for under the law of 1858. If no religious instruction was intended to be given in the schools, why should protection to the minority of all denominations, of the Baptist and Methodist minorities, as well as the Catholic minority, have been embodied in the Act. It was a law framed to meet the wishes of a mixed population, and it protected the minorities by providing that the children of the parents who constituted either a Catholic or Protestant minority should not be compelled to read from or study any book to which their parents took objection. The law was the result of the agitation through New Brunswick. Although a certain portion of the people urged the adoption of an unsectarian system on the Legislature, the majority were in favor of continuing the mixed system which recognized denominational teaching under the old law, and the petitions which were sent in exercised such an influence on the Legislature that they respected the rights that existed previous to 1858, and when the Legislature enacted the law of 1858 it continued the system which had existed for many years in New Brunswick. It was clear, therefore, to his mind, that the denominational system of New Brunswick existed not only up to 1858 but was continued by the Act of 1858 to 1871. In 1871 a law was passed which deprived the minority of the rights which they possessed under former laws. It was not to be wondered at that such a change took place. Many of the hon. gentlemen who conducted the Government of New Brunswick prior to Confederation were after that Act sent to represent the people in this Parliament. While they were at the head of affairs in New Brunswick no such law as that of 1871 could have passed, because those were men of ability, men of long experience, and had due regard for the interests of their country, and were, moreover, men who would not use a question of this sort to make of it political capital for themselves. After confederation, the places of these men were filled for the most part by young men of little experience, and who were unfortunately unable to retain power in their hands in any other way than by exciting the worst feelings of the people of New Brunswick by agitating this question and making political capital out of it, thus destroying the harmony which had existed previously. He repeated that the law of 1871 was passed amidst the strong remonstrances of the people of that Province. After it became law, and before the time for advising its disallowance had expired, petitions were sent from New Brunswick to the Dominion Government asking them to secure its disallowance. Hon. members of this House would remember that no answer to these petitions was given until within a few days before the meeting of Parliament in 1872. During that ses-

sion of Parliament the question was brought before this House by himself. He moved a resolution setting forth that it was the duty of the Government of the day to disallow the School Act of 1871. He, of course, believed that it was competent for this House to vote in favor of that resolutton, and if it had been carried. and the law had been disallowed, the Local Legislature would have been compelled to change their policy with regard to denominational matters. It would be remembered that when that motion was first brought up the Government of the day seemed to think that it would have embarrassed them seriously, and that it was only brought forward in order to secure discussion and an expression of opinion from the House. It, however, soon became evident that there was a strong feeling of sympathy in the House in favor of the minority in New Brunswick—in fact hon. members from Ontario and Quebec could not well help feeling such sympathy because the minority of New Brunswick only asked for the same rights and privileges which had been granted to the minority in those two Provinces. He did not desire to throw any blame upon the late Government, or upon the present Government, or indeed upon any individual member of this House. He would do his best to deal with this matter independently of any political feeling or bias, and if it became necessary for him in the interests of the people affected by this resolution to repeat facts that might be displeasing to hon. members, he hoped they would not accuse him of doing so with with any intention of giving offence. When the Government of the day became aware that there was a strong sympathy in the House in favor of the disallowance of the School Act of 1871, an amendment was proposed by an hon. member—Mr. CHAUVEAU— to the effect that an interpretation should be given to the Constitution in the sense which was believed to be intended at the time of Confederation, securing to the Catholics of New Brunswick those rights and privileges which they then enjoyed. At that time the period during which the Act could have been disallowed had not expired although it had nearly so, and when the Government of the day led him and his friends who were interested in the question to believe that they offered this amendment as a kind of compromise, he certainly for one was disposed to accept it if it could be carried. However, he found afterwards that the Government for some reason or other had abandoned that ground, and sought some other means for defeating his motion, for that was the real truth of the matter; and therefore another amendment was proposed by the hon. member for Stanstead. As soon as he found that the CHAUVEAU amendment was abandoned by the Government, and not likely to be carried, he fell back upon his original motion, and was determined to vote for it if he should vote alone. However, the amendment of of the member for Stanstead was carried. That amendment showed the amount of sympathy that existed in this House at that time in favor of something being done to remove the difficulties under which the minority in New Brunswick were laboring. It had been argued since, that that amendment showed that the House did not wish to interfere, but merely suggested a remedy to the New Brunswick Legislature. At that time he and several other members stated that it would be useless to adopt the motion of the hon. member for Stanstead, because there was no reason to suppose it would be carried out, and he did not believe in the consistency of those who supported it. Because if the proposition was correct that this House could not, out of regard for the rights of the Local Legislature, advise the disallowance of the Act, nor ask for an amendment of the Constitution in order that the Act might be amended, then it was clear that the House should not have passed the amendment of the hon. member for Stanstead, because it was virtually a vote of censure upon the New Brunswick Legislature. He voted against that amendment, and in favor of the amendment of Mr. DORION, which was most in accord with his own motion. The amendment of the hon. member for Stanstead was carried, but it produced no results, there was one feature of the operation of the school Act which it might be well to mention. There were some districts in New Brunswick that formerly opposed the law that now favored it, and for this reason: Under the law a tax of 30 cents. per head of the whole population for a county fund was levied

by the simple operation of the law without the people having any voice in the matter. The result was that in districts where the Catholics were in a majority and consequently only a few schools were established under the law, the county tax was sufficient to support those schools without any district tax. Therefore in such districts many Protestants who were formerly opposed to the law had became converts to it from the fact that they had their schools supported without any district tax, the minority being obliged to pay the 30 cents. a head county tax although they did not use the schools. In 1873 another attempt was made in this House to have the question settled. He then moved a resolution praying that the Acts passed in amendment to the Act of 1871 be disallowed That resolution was carried by a large majority. The Acts to which that resolution related amended the law of 1871, by giving the Educational Board greater powers than they had before, and by legalizing certain assessments which had been declared illegal by the Supreme Court of the Province. A large majority of this House, as he had already stated, voted for his resolution in 1873, and it was that fact which encouraged him to ask the support of the House to the proposition he was about to submit to it. At that time the House was asked to advise the disallowance of an Act of the New Brunswick Legislature, which they had a right under the constitution to pass, except so far as regarded the doubts that had been raised by hon. members on both sides of this House. But so strong was the desire of this majority of this House to have this question settled that they voted in favor of disallowing that Act. Now, he took it that there was no difference between the disallowonce of the amendment, and that of the original Act. If this House had a right to advise the disallowance of the amendment, surely they had a right to advise the disallowance of the original Act. The House in 1873 affirmed the principle that they had a right to advise the disallowance of an amendment to the School Act, and therefore they could certainly have no objection to the proposition he was now about to make, that an address be presented to HER MAJESTY praying that the constitution may be so amended as to secure the rights for the minority of New Brunswick, that the minority of Ontario and Quebec enjoy. It was not a violation of the constitution that he asked; it was not after all any great change in the constitution, because he believed there were few hon. members who would argue that by the Act of 1871 the minority of New Brunswick had not been deprived of rights and privileges that they enjoyed by virtue of the law prior to confederation. Therefore, he thought the proposition he was now going to make ought to be more acceptable to the House than the proposition he had formerly made in favor of the disallowance of a local Act. There was another consideration which he thought would have great weight with some members, particularly the hon. member of Quebec Centre. That hon. member would agree with him that the proposition he was now making was the only means of securing a remedy to the minority of New Brunswick, that was now within the reach of this Parliament. In 1873, the majority of this House agreed to his resolution asking that the Act amending the the School Act be disallowed, but the Government of the day refused to carry out the expressed wishes of the House. It would be remembered that a good deal of excitement arose when this became known, and he was prepared to take further means through the House as far as he could to compel the Government to carry out the wishes of the House. It had been assigned that a great mistake was made at that time, that the minority of New Brunswick lost the best opportunity that might ever occur of settling the matter. Some hon. members, particularly the hon. member for Quebec Centre, thought that if the late Government had been defeated on that question, any succeeding Government would have been obliged to settle this question. Suppose for argument's sake that that position was correct. Suppose that the Government had been defeated and that the hon. gentlemen now forming the Government had come into power under these circumstances, they would, according to the argument of the hon. member for Quebec Centre, have been obliged to find some settlement of this question. Well, there was then no other way in which this question could be settled, the time for disallowance having

expired, except by the very proposition which he was now submitting to the House. If it was right then, it must be right under the present circumstances. The mere fact that it became part of the Government policy did not effect its constitutionality. If the Government had a right under any circumstances to ask for an amendment to the constitution any individual member of the House had an equal right to make the same proposition. This question had given rise to ill-feeling and a great deal of excitement and disorder in New Brunswick, which must be regretted by the people of that Province. Every hon. gentleman in this House would agree with him that if possible an end should be put to those troubles. While they continued, the peace of this Dominion could not be said to be complete. The Catholics of New Brunswick only asked for the same rights that the minorities in Ontario and Quebec have, and they felt it was unjust to refuse their request. They felt also that this Parliament had the power to remedy the inconveniences of which they complained. The only question was whether this House would believe that there was a necessity for asking for an amendment to the Constitution. The amendment to the Constitution with reference to better terms to Nova Scotia was, however, a much greater change than this would be, yet he expected the hon. gentlemen from that Province would be amongst the strongest opponents of the resolution before the House. When Nova Scotia came into the Confederation, her people were dissatisfied with the financial arrangement, and they sought at the hands of this House better terms. The Act of Confederation declared that out of the revenues of this country, each Province was to receive a certain fixed sum. Some hon. gentleman might say it was only fixed so far as declaring the minimum amount which each Province should receive, but one dollar additional could not have been appropriated for the benefit of Nova Scotia without taking it from the pockets of the other Provinces. The argument used for this change of the Constitution was that it was in the interests of the country. It was urged that the union of the Provinces was not a bargain where one should get the better of the others. In accordance with these principles and arguments, this Parliament did increase the subsidy to Nova Scotia, in spite of the opposition of members from other Provinces, and particularly of Ontario. That was not the only alteration of the Constitution. It had been changed with regard to the great principle of representation by population. If there was any principle upon which this House, as a body, should agree, it was this, and it must be a strong reason that should influence it to change the Constitution in this respect. He did not say that there was not good reason for that change. He believed the Constitution was not a cast-iron one which could never be altered. He did not believe the country was bound to suffer any inconvenience that might arise from it which could be remedied. If a case could only be made out that the interests of this country demanded an amendment of the constitution, he was satisfied that this House would make that change. This, he thought, would disarm in a great measure those who were disposed to oppose this motion on that ground. But, hon. gentlemen might say that while they sympathised with the minority in New Brunswick, they could not over-ride the rights of that Province. He would like to be satisfied as to the consistency of hon. gentlemen who took that view. A few nights ago this House was asked to vote for a proposition to alter the Constitution of the Senate. The Confederation Act guaranteed the smaller Provinces a certain representation larger than they possibly could get if represented according to population. Here was a right that the smaller Provinces must regard as equally important with the question of education. A motion was made to remove that safeguard from the constitution. In the vote which took place on it, the Province of New Brunswick voted unanimously against the change, yet it did not stay the action of this House. The House did not say "until we have the consent of that Province to the amendment we can proceed no further." Hon. gentlemen who favored the amendment contended that it was in the interests of the country, and did not allow the opposition of New Brunswick to influence them. In the face of the fact that the constitution had already been changed to suit the interests or feelings of a majority in this House, the only question now to be considered was whether the proposed change was necessary. If it were

held by a majority in this House to be unnecessary, he could understand why they should vote down his resolution. He hoped to see it supported by hon. gentlemen on both sides of the House, and he would be very much surprised if the Government of the day should take any strong ground against it. He did not expect them to use their influence in support of the motion; all he wished was that the House might be allowed to pass freely and independently upon it. It was time that this question should be settled. Some newspapers spoke of it as a little matter, but he thought the views of over 90,000 people, who formed over one-third of the whole population of New Brunswick, ought to have some weight in this Legislature on a question affecting their religious rights and privileges. This House would be studying the best interests of that Province by adopting this resolution. If the change were made, he predicted that before three years the people of New Brunswick would acknowledge they owed a debt of gratitude to the Dominion Parliament for having relieved them of this vexed question. The great majority of the people did not desire to see this state of things continued. They had no desire to persecute or ill-treat the minority in the Province. That was not the true characteristic of the people. It was only when aroused and led on by political leaders for political purposes, when their worst passions were excited, that they became illiberal. They were just as liberal in their views as the people of Ontario or New Brunswick. The trouble arose from the fact that the people who held power in the Local Legislature maintained their positions solely because they had produced this state of excitement in the Province. The press had condemned that Government long ago, and given as their only reason for supporting, what they recognize as a corrupt administration, their determination to maintain this free-school system. All sorts of reports and arguments had been circulated to keep the people from viewing this question in a calm dispassionate manner. In 1871, hon. members from New Brunswick assured this House that if any wrong were done the minority in that Province by the school Act, the local authorities would so amend it as to do justice to all classes. The same assurances had been given time andagain, but the Act remained unchanged. If hon. members representing New Brunswick in this House—the hon. Minister of Marine, the hon. Minister of Customs, and those who followed them — had followed the proper course, he was firmly convinced this question would have been settled before now. He made no charge against them for not having made it a part of their policy to have it settled. They were not responsible for the passage of the Act; still, if they had used their influence against it, the minority in the Province would not now be suffering this great injustice. Every means had been exhausted to secure justice for the Catholic minority. They had appealed to the Local Legislature, they had tested the constitutionality of the law, they had renewed their petitions from time to time in the Local Legislature without success. Even last session the leader of the Government stated that although an amendment would be made to the law to make it more acceptable to the people, it would not be changed to meet the wishes of the Catholic minority. The Catholics of New Brunswick had nothing to expect from that Legislature, so long at least as the men who governed the Province to-day remained in power, and they were resorting now to what he believed to be the only means by which they might expect redress. He did feel, and he would continue to feel whatever the result of this vote, that if an amendment of the constitution were asked by different persons and under different circumstances, the request would be complied with. He had experience enough in politics to know that votes were as a rule more powerful than principles. He did not mean this as a reflection upon the present Government, for he knew that it applied with equal force to the late Administration. He believed if fifteen of his colleagues from New Brunswick united with him in asking for this change, no matter which party had been in power, it would have been granted them. It was difficult perhaps for a Government to accept and give force to the views of a minority, no matter how just those views might be, if the result were, as it would be in this case, to make themselves five times as many political enemies as it would make them friends. He had carefully avoided making any allusion to the occur-

rences at Caraquet, because he thought no good could accrue from a discussion of the subject. He hoped that other hon. members would adopt the same course. This case was before the courts, where the whole truth would be elicited, but all that could properly be said of it in the meantime was that it was a great pity it had happened. The Catholics in New Brunswick occupied a very unpleasant position—a position inferior to that they occupied in any other Province of the Dominion. A law was imposed upon them, and because it was based upon what were called broad principles—principles which ignored religious differences and conscientious convictions they were expected to lean to it without protest. In the matter of administering oaths, regard was paid to the conscientious scruples of the Quakers. They were not obliged to take an oath; they were simply permitted to go into court and give their affirmation; neither were they compelled to perform military service. A large sum of money had recently been voted for the purpose of inducing to come into this country a class of emigrants, who, it was well-known would take no part in the defence of the country if that were even necessary. This all went to prove that the House recognized the policy of dealing with those different religious scruples and convictions and of respecting them. Indeed, to recognize the existence of religious differences and to act upon that recognition was the true means of avoiding the complications to which they sometimes led. The very attempt to crush out such differences had the effect of creating a feeling of injustice, oppression, and tyrannical dealing, and of provoking resistance. He called the attention of the House to the remarks of the editor of the St. John *Globe*, a gentleman who knew both sides of the subject well, and would, he believed, be disposed to do justice to both parties to the controversy. The remarks which were made in connection with the occurrences at Caraquet, were as follows :—

"If the Catholic people had set themselves against all education ; if they were avowedly determined to remain in ignorance ; if they did not make as many personal sacrifices as Protestants in the interests of education, there would have been some justifiable reason for the way in which it has been sought to compel them to the adoption of the law. But the truth is that before this law was enacted at all, their educational institutions were of the very best kind, and were doing excellent work. They had in the city of St. John the best common schools in existence, they had superior schools of a high class, and in other parts of the Province they had educational establishments which were a credit to themselves and reflected honor upon the Province. Further, the class of young men going out from all of these schools were good, honest and industrious citizens, capable and intelligent. So that the Catholic objection to this law—be it reasonable or unreasonable—is not an objection to education itself, and therefore ought to have been met in a better spirit than it has been."

Even the St. John *Globe*, which had formerly been opposed to a change in the Constitution, had now come to admit that it was necessary for this Parliament to interfere—that the feelings of the majority should not be consulted to such an extreme length. He (Mr. COSTIGAN) regretted very much that the minority of New Brunswick relied upon his unaided efforts to bring this matter before the House. He expected at one time, when the Liberal party came into power, that the question, should it be necessary to bring it up again, would be satisfactorily solved. Such at least were the promises and professions of the friends of hon. gentlemen opposite, and such the expectations of the Catholic population of this country. They had, at the last election, supported the friends of hon. gentlemen opposite on the principle that they were supporting a party and a Government disposed to do them justice. He (Mr. COSTIGAN) believed that the Liberal party in Ontario succeeded in gaining many constituencies where the Catholic vote was of considerable weight, as a direct result of the vote on the New Brunswick school question in 1872 ; and, on the other hand, the Conservative candidates, in many constituencies in Quebec, were defeated, not because they did not vote properly, but because they supported a Government which had opposed his (Mr. COSTIGAN'S) motion in

1872. There could therefore be no doubt that hon. gentlemen supporting the Government were expected to pursue, upon the Treasury Benches and behind them, that liberal policy which they had advocated upon the Opposition side of the House, and he hoped that the majority of them would support him upon this occasion. He concluded by moving the following resolutions :—

"That an humble address be presented to HER MAJESTY, representing that it is essential to the peace and prosperity of the Dominion of Canada that the several religions therein prevailing should be followed in perfect harmony by those professing them, in accord with each other ; and that every law passed by this Parliament, or by the Local Legislatures, disregarding the rights and usages tolerated by any one of such religions, is of a nature to destroy that harmony. That the Local Legislature of New Brunswick, in 1871, adopted a law respecting common schools, forbidding the imparting of any religious education to pupils ; and that that prohibition is opposed to the sentiments of the entire population of the Dominion in general, and to the religious convictions of the Roman Catholic population in particular ; that the Roman Catholics of New Brunswick cannot conscientiously send their children to schools established under such law, and are nevertheless compelled, like the remainder of the population, to pay taxes to be devoted to the maintenance of such schools ; that the said law is unjust, and contrary to the spirit of the the Constitution, and causes much uneasiness among the Roman Catholic population disseminated throughout the whole Dominion of Canada, and that such a state of affairs, if continued, is likely to prove the cause of disastrous results to all the Confederated Provinces ; and praying that HER MAJESTY will be pleased to cause an Act to be passed amending 'The British North American Act,' by providing that the Roman Catholic inhabitants of New Brunswick, who are in a minority in that Province, shall have the same rights, privileges and advantages with respect to separate or dissential schools, and the same exemptions from taxation for the support of public or common schools as are now respectively enjoyed and possessed by the Roman Catholic minority of Ontario, and the Protestant minority of Quebec."

Mr. APPLEBY said he had hoped that the New Brunswick School Law had been before Parliament for the last time. Considering the popular and judicial decisions thereon, affirming both the wisdom and constitutionality of the Act, we had every reason to believe that the subject would not again be introduced, and that the time of this House would not be taken up with the consideration of a question that could not possibly come within the scope of its legislative powers, and for other reasons which he need not specify, he had hoped the subject would not again be introduced here. The hon. member must know that he would gain nothing by the course he was pursuing ; his attempt to destroy the constitution of this country would meet with disaster in this House, and he regretted that the hon. member should have been led to adopt a course, the only result of which would be to engender bad feelings which were more easily aroused than allayed. However, as the hon. member had resolved to proceed with his motion, he must not be offended at the remarks of himself and other members. He called the attention of the House to the wording of that remarkable resolution. In the first section they were brought face to face with the old doctrine of union of Church and State, that old doctrine which, if he read correctly the signs of the times, was doomed to destruction in the old world, and which he had hoped would not gain a firm foot-hold in the new. The spirit of dis-establishment was abroad in the old country, and he regretted that Mr. GLADSTONE, the first statesman of the day, had not remained in power sufficiently long to dis-establish every ecclesiastical establishment in the British Isles. Now, while that spirit was abroad in the Old Country, there appeared to be an attempt made here not only to set up a Church supported by the State, but to set up a Church above the State. That Church dared to tell them that Parliament was not omnipotent, but that its legislation should be with the permission of the Church. If the resolutions now before the House did not mean that they meant nothing. If these resolutions were adopted the Court of Appeal, which was about to be established, would be fully engaged in inquiring into the doctrines and dogmas of the various denominations throughout the country. He submitted to hon. members of this House, irrespective

of creed and nationality, whether they were prepared to say that Parliament must not legislate in a certain direction, unless it has obtained the consent of some church or denomination. To the statements contained in the second paragraph of the resolution, he gave a full contradiction. The Legislature of New Brunswick have passed a law forbidding the imparting of any religious instruction to scholars. The Act provided that all schools shall be non-sectarian. He submitted that sectarianism and religion were not synonymous terms, and the experience of Protestants—he did not refer to the church to which the hon. member belongs—had been that where there was sectarianism, there religion did not prevail to any very great extent. The spirit of the School Act of 1871 did not discourage, but rather encouraged religious education. The fault of the law was that it was not sectarian. It certainly prohibited the teachings of the Roman Catholic or any other Church from being introduced into the schools, and this the hon. member for Victoria, said was opposed to the sentiments of the people of the whole Dominion. This course was in accordance with the sentiments of the people of New Brunswick, Prince Edward Island, Nova Scotia, and British Columbia, all of which Provinces had unsectarian schools. Furthermore, it was in accordance with the public sentiment of Ontario, and in strict accord with the views of the people of the Dominion, and also in accord with that broader public sentiment which controlled and directed the energies of the more enlightened nations. He denied the next proposition of the hon. member for Victoria—that the Roman Catholics of New Brunswick cannot conscientiously send their childrens to schools established under that law. He was informed that the hon. member who championed that cause, had since 1871 sent his own children to a common school; if he had been misinformed, let the hon. gentleman now correct the statement.

Mr. COSTIGAN said he would fully answer the hon. member when he had an opportunity of doing so without interrupting him. He would answer the hon. member when he could do justice to himself as well as to the hon. gentleman.

Mr. APPLEBY said he had been told that the hon. member took advantage of the common schools, and he did not deny it. The hon. gentleman himself had enjoyed the advantage of a very liberal education, and he might now direct his efforts into a better channel than that of agitating the New Brunswick School question. In the County of Victoria, represented by the hon. gentleman the population numbered 11,641, out of which, among those over 21 years, there were 2,201 who cannot read and 2,476 who cannot write, and he should devote his attention to providing his constituency with additional schools. In marked contrast with Victoria, was Queen's County, which with a population of 13,847, only furnished 359 persons over 21 years who cannot read; and in the County of St. John, out of a population of 52,121, there were only 2,410 who cannot read, or about an equal number with those similarly deficient in education in Victoria.

The next clause of the hon. gentleman's resolution was as follows:—

"That the said law is unjust, and con-"trary to the spirit of the Constitution, and "causes much uneasiness among the Roman "Catholic population disseminated through-"out the whole Dominion of of Canada, "and that such a state of affairs, if continued, "is likely to prove the cause of disastrous "results to all the Confederated Provinces."

Not having heard his hon. friend, he did not know what these "disastrous results" were, and would therefore pass over that clause. He came now to the fifth and last clause, which was as follows:

"And praying that HER MAJESTY will be "pleased to cause an Act to be pass-"ed amending 'The British North Ameri-"ca Act,' by providing that the Roman "Catholic inhabitants of New Brunswick, "who are in a minority in that Province, "shall have the same rights, privileges and "advantages with respect to separate or "dissential schools, and the same exemp-"tions from taxation for the support of "public or common schools as are now re-"spectively enjoyed and possessed by the "Roman Catholic minority of Ontario, and "the Protestant minority of Quebec."

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

AFTER RECESS.

Mr. APPLEBY resumed the debate. He said he did not propose to enter into the merits or demerits of the New Brunswick

school law; to do so, would he considered, be impertinent. This Parliament as a Parliament had no right to know anything about the school law of New Brunswick. But he might be permitted to say a few words thereto. He would not insult the intelligence of the House by an argument in favour of free schools—schools for the masses—neither would he attempt an argument to prove that in order to have schools for the masses the State must grant assistance towards their maintenance. Without State assistance the children of the wealthy few would get education, and the children of the masses would remain ignorant. Therefore as the State was required to give assistance towards the maintenance of common schools, it was obvious that all denominations must be treated by it in the same manner, or in other words that the schools must be non-sectarian. Upon this principle the school law of New Brunswick was founded. It had been stated that this law was against the conscientious scruples of the Roman Catholics. He took the liberty of doubting that. In his opinion although he did not wish to say anything harshly—some of the leaders of the Roman Catholics—some of their clergy—were the cause of a great deal of the agitation on this question. Out of 1,100 school teachers in the common schools at New-Brunswick, there were no less than 250 Roman Catholics, and there were upwards of 6,000 Roman Catholic children attending the common schools. He offered this statement as an argument against the assertion that the school law was unpopular among the Roman Catholics. When the House rose at 6 o'clock he was reading the fifth and last paragraph of the resolution of the hon. member for Victoria. He regarded this statement as a most extraordinary one, and how any lover of constitutional rights, and how any lover of liberty and justice could support this resolution, was beyond his comprehension. The mere statement of the proposition itself was its own condemnation. He (Mr. Appleby) might as well attempt to prove that justice was lovely and injustice abominable; that truth was fair and falsehood the opposite as to attempt to prove that this part of the resolution was worthy of condemnation. However, as the hon. gentleman had invited discussion upon it, he would humbly approach it. In the first place it interfered with the constitution of the country. By the British North America Act the question of education was relegated to the several Legislatures. This resolution was directly opposed to that part of the constitution. It was a violation of a solemn agreement. It sought to disturb a great national compact to which the faith of this whole country was pledged. It meant disunion—it meant the destruction of this young empire; it meant revolution, and it might mean something worse. If we were prepared to break up the Constitution in this particular, what would become of the guarantees under the Constitution? What would become of the separate schools of Ontario? What would become of the civil code of Quebec? What might become of the French language in this House, and in the legislation of this country? What would become of the representation of British Columbia? What would become of all our guaranteed rights, if we were to sanction the principle embodied in this resolution? In his argument thus far he had been endeavoring to establish that the passage of this resolution would inflict a serious blow upon the Constitution. But he rested his case upon higher and different grounds. He did not consider that our Local Legislatures derived their rights and powers from the Constitution of the country. It was not disputed that the question of education was delegated to the Local Legislatures. Now, what was the *status* of the Local Legislatures at the time of Confederation? With the permission of the House, he would read an extract from MILLS' *Colonial Constitution*, page 32 :—

"The Assemblies have, with concurrence of the Governor and Council, absolute legislative powers, subject to the Crown's power of disallowance. * * When a Legislature, with a representative element has been established, the Imperial right to tax and legislate ceases."

He would lay down this principle that the Local Legislatures of this country, on all subjects which came within their exclusive power, had equally with the Parliament of Canada the quality of omnipotence. Further, he would say that the Local Legislatures forming this Confederation, on subjects within the scope of their power, had equally with this Parliament and with the Imperial Parliament the

quality of omnipotence. But, he was told, the Crown had the power of disallowance. So had the Crown the power of veto, which, however, had not been exercised in one hundred years. If the QUEEN of England were to-day unlawfully and arbitrarily to exercise that power, it would be a violation of the constitution of Great Britain; so that any disallowance of the Acts of colonial legislatures other than those interfering with Imperial rights, was a violation of the constitution. Out of a total number of 9,626 statutes passed in the American dependencies, including the British Antilles, between the years 1823, and 1853, there were only 185 disallowed. He asked any hon. gentleman present if ever, in the history of Old Canada since responsible Government was recognized, the Imperial authorities had presumed, on a matter entirely within the control of the Legislature to inquire into the propriety of passing such a law. They merely looked at the Act to see if it interfered with Imperial rights, and if it did not, it immediately received their sanction. Coming into confederation had not, in that respect changed the status and powers of the Local Legislatures. The GOVERNOR GENERAL in Council had the same right of disallowance which formerly the British Crown had, and if he presumed to exercise that right arbitrarily, it would certainly be transgressing the British Constitution. The Local Legislatures did not derive their powers and rights from the Parliament of Canada, and if he had read the British Constitution correctly, and he thought he had, the Legislature of New Brunswick did not derive her rights from any Imperial power, but from the law of nature, that great law "which hath its seat in the bosom of God," and all Acts of Parliament were simply recognitions and affirmations of this great law. Never since the 13th century in England had there been an attempt to strike down a Legislature, a whole people, as was contemplated by the resolution now before the House. And who pressed it upon Parliament? It was in the interests of an ecclesiastical establishment, which drew its inspiration from a foreign power, which, to say the least, was not abreast of the civilization of the day. He was told that the resolution would meet with some support in this House; that some gentlemen would vote for it for the sake of party. Was it possible that for the sake of party the dearest interests of humanity were to be bartered and traded for? He hoped the House would pardon a young member for saying that the atmosphere of the Capital was more highly charged with party than with patriotism. Were the rights of the constitution to be violated and destroyed in such a summary manner? The resolution meant, 1st—in all Legislatures the rights of the church must be consulted; and 2nd, this Parliament at any time it sees fit, for any purpose, and under any circumstances, might ask that the constitution be changed, and that every right of one of the Legislatures of this Dominion be destroyed.

Mr. GORDON said this was a matter which had received his serious consideration. The constituency which he represented was one-fifth Catholic and four-fifths Protestant, and, therefore, fairly represented, in proportion, the minority and majority of the Province. He could, therefore, view the question impartially. There was much in the speech of the hon. member for Carleton, with which he could not agree. From the alleged ignorance of the people of Victoria county, he (Mr. GORDON) drew the conclusion that the tenderness of conscience of the Roman Catholic population prevented them from taking advantage of the common schools. He regretted exceedingly, as a Protestant, that they could not view this educational question as he did, but seeing that it was a matter of conscience, so far as they were concerned, it would be wrong to force them into a position which they could not conscientiously accept. So far as his own constituency (North Ontario) was concerned—and he had yet to learn that the experience of any other county in Ontario differed from it—the Separate Schools' Act had had no bad effect. It had given every satisfaction. The same result would follow its adoption in New Brunswick. In the meantime they were in a position to be tyrannized over. In North Ontario, which he represented, there were only two Separate Schools. It was found that the Roman Catholics did not avail themselves of the Act, owing to the expense attendant upon it. He hoped the resolution of the hon. member for Victoria would carry. He believed it would meet with the warm approval—he said it without hesitation—

not only of the Roman Catholics of Ontario, but of the great majority of the Protestants of that Province. He thought it was not their disposition to tyrannize over any minority, neither did they wish to interfere with the majority in New Brunswick. The minority that he had the honor to represent felt very keenly on this subject. They sympathized with their brethren in distress in the Lower Provinces, and he believed he would be speaking that which was contrary not only to the wishes of the minority, but also to the wishes of the majority if he did not express himself in favor of the resolution. He would vote for the amendment to the amendment as against the amendment, and for the motion as against the amendment.

Mr. DEVLIN said he would be wanting in duty to the one million and a half of Roman Catholics in this Dominion if he were to remain silent while 96,000 of them were knocking at the door of this House asking for common justice. He spoke on behalf of 96,000 Catholics who asked the privilege of educating their children according to the dictates of their conscience. It was not in the power of this House to impose any law upon the Catholics of New Brunswick which would exempt them from the exercise of that right—of the obligation to educate their children so that they might learn to know the Almighty God—to love and reverence him. If he were called upon to address this House on behalf of the Protestant majority seeking justice at its hands on a matter of this kind, he would raise his voice louder on their behalf, and insist with all the power and strength he could bring to bear on this subject for that justice which he claimed for the Catholic minority of New Brunswick. He did not know what course the Government intended to purtion. That hon. gentleman took this position. "I wish to see my Catholic fellow-citizens enjoy the same liberty I enjoy;" and he cited Ontario and Quebec as examples of the justice of the law that obtained there, and he asked that the same justice which was meted out to these Provinces be meted out to the Catholics of New Brunswick, and that they be placed on a footing of equality, with the rest of HER MAJESTY'S subjects, they asked no more and he (Mr. DEVLIN) could tell the House sue, but having followed the Reform party for 20 years of his life, in all its trials and difficulties, he had every faith in their liberality and their determination to render impartial justice to all classes and creeds and denominations in this country. The Catholics would resent any legislation which interfered with the observance of the high duties which as Catholics they were required to discharge, and it would be resented not only by them but also by the high and lofty and generous-minded parties who, thank God, were always found to stand by their Catholic brother in the hour of difficulty. He did, therefore, expect as an humble member of the Liberal party that the Government which he and his friends were supporting would recognize the justice of the demand made by the hon. member for Victoria, and would show by their acts that they were Reformers not only in name but in practice, and that wherever they found a law operating unjustly towards any class of HER MAJESTY'S subjects they would with their powerful influence come to their relief, and place them upon an equality with all other classes. He hoped the day had not arrived when the Catholics of this country were to be BISMARCKED. We wanted no BISMARCK in New Brunswick or in this House. We desired to live in harmony, upon terms of equality, doing for each other all we could do to promote the general welfare and prosperity. Objection was taken to this resolution on the ground that it was a violation of the Constitution, and that if it was granted, other Provinces might be seeking remedies for abuses in the same way. But what after all was the Constitution? It was only a piece of human machinery, and when it was found not to work smoothly, when it was found that one part bore unjustly upon a certain class of HER MAJESTY'S subjects, was it not the duty of this House to amend it so as to make it work smoothly. But there was a constitution far above that constitution. There was a higher and holier constitution—a constitution made by the hand of God—and that was the constitution that a Catholic felt it to be his bounden duty first of all to pay his allegiance to. As he stated at the outset that constitution imposed upon Catholic parent the duty of educating his children, and no law could exempt him from that obliga-

tion. He saw upon the Notice Paper an amendment to be proposed by the hon member for South Bruce offering that the passage of the resolution now before the House would be a dangerous interference with the constitution. He did trust that that hon. gentleman who stood so deservedly high in the estimation of his Catholic fellow-countrymen, and to whom they looked in the hour of difficulty expecting to find in him a friend and protector, would not throw his great influence in this House against the reasonable demand of ninety-six thousand human souls who appeal to this House from New Brunswick. If he did so it would infuse into the heart of every Catholic in this country a feeling of alarm, a feeling of regret that one standing so deservedly high in the estimation not only of the Protestants, but the Catholics of the Dominion should avail himself of the majority he and the Government could command to reject the humble application made for an act of common justice. He did not desire to follow up this subject further. It was well understood, and he supposed hon. members of the House had all made up their minds to the course they intended to pursue in this matter. The hon. member for Carleton had characterized the speech of the hon. member for Victoria as revolutionary. However, there was not much in the speech of the hon. member for Carleton requiring an answer, and therefore he would pass it over; and as an humble member of this House tender his heartfelt thanks to the hon. member for North Ontario who a Protestant, took a large and liberal view of this whole ques- that if this was refused the Catholics of this country would continue to agitate this question, they would continue to fight every Parliament and every Government that might be brought into existence, and no Government would find place cr rest till justice was done in this matter.

Mr. PICKARD said that although he was opposed to the resolution, he must say that the hon. member for Victoria had introduced in a calm manner and without any excitement. He was not here to represent Catholics or Protestants, but to act and speak for the interests of the whole Dominion irrespective of creed or religion. The hon. member for Montreal Centre had threatened the Government. Were the Government to pause because any religious body—in this instance it happened to be the Roman Catholic—threatened them? They had better go down altogether than pause. He had never, by any act of his, treated anybody with injustice, nor was the School Law of New Brunswick unjust. It threw open the door of every common school to every child, whether Methodist, Presbyterian, Catholic, or whether he belonged to his (Mr. PICKARD's) church, the universal church of the world. The schools were free to every child, and if parents wanted to teach their children religious truth let them do it at home by the mother's knee. To say that a child thus taught was in danger of losing its religious principles when it went out into the world and mixed with others of a different religion, was equivalent to admitting that such a religion was useless. In 1871, when this law was passed, there were 44,872 children attending the public schools, and in 1874 the number had increased to 60,467, showing that obviously a number of Catholic children must be attending the schools, notwithstanding all that had been said about the law being obnoxious to Catholics. Aside from this fact, he knew that the Catholics in the country districts did send their children to the common schools. In 1872, the hon. member for Victoria was willing to sacrifice the interests of the Catholic children of the country, provided he could only get sectarian schools for those in the cities and towns; where as in his (Mr. PICARD's) judgment if any one's interests should be regarded it should be those of the hard-working men of the forest. Within the last three weeks a resolution had been carried in the New Brunswick Legislature, by a vote of 31 to 5, expressing gratification at the decision of the Judicial Committee of the Privy Council on the School Act. These 31 members represented all parts of the Province, and their decision was entitled to the respectful consideration of this House in dealing with this question

Mr. WRIGHT (Ottawa) said he was sure every one regretted the necessity which existed for bringing this matter before the House. This was a very difficult problem, and on a satisfactory solution of it depended much of the future peace and prosperity of this Dominion. The hon. member for

Victoria deserved the thanks of the House for the calm, moderate and logical manner in which he placed his case before it; from first to last in the agitation of this question, the hon. gentleman had proceeded in the same temper, and he deserved the congratulations of both sides of the House. The proposition he had placed before the House deserved the most careful consideration. We had but recently commenced a great political experiment. So far in the main we have been sailing in the flood-tide of success, and we have all the elements within our borders for building up a great nationality. But that nationality must be founded deep in the love, reverence and esteem of the people. It should not be founded upon in justice, but upon the eternal principles of right. This was one reason why he would vote for the resolution. He would not argue the constitutional question; it had already been very fully discussed in this House, moreover it had been dealt with by the highest judicial authority in the empire, who had rendered its decision. If that decision was correct, then while the Confederation Act protected the right of the minority in Quebec and Ontario, the rights of the minority in New Brunswick had been shamefully neglected in the framing of that Act. As had been already pointed out, they enjoyed certain rights and privileges up to the time of Confederation, which were taken away from them by the Confederation Act; they would be told that the constitutional difficulty was the real difficulty and the circumstances that we could not by any possibility violate the constitution. But this was not the first time the constitution had been violated,—it had already suffered much violation. When the House voted "better terms" to Nova Scotia and New Brunswick, did it not violate the Constitution, and when the motion was adopted by the House the other night to change the mode of constituting a co-ordinate body with themselves, what was that but an attempt to violate the constitution? If ever an attempt was made to destroy the constitution, a determined and decided attempt was surely made the other night. How did the hon. member for Bothwell, who introduced the resolution, criticize the hon. body to which it referred. He told this House that the Senate was an asylum for political prostitutes—that was said boldly and openly in this House. For his part he (Mr. WRIGHT) declared that such an attack upon the hon. the Senate certainly meant an attempted violation of the constitution. He appealed to them especially as representing a county in which there was a large majority of Catholics to adopt the resolution before them. From the liberal Catholics of his constituency he had always received an independent support, and they even supported him against one of their own religion, trusting in his honor that in the hour of their extremity he would do his best to obtain for them justice. From the first he always endeavored to sustain the member for Victoria, and on one occassion he had voted want of confidence in the Government, lead by the hon. member for Kingston, which he (Mr. WRIGHT) had usually supported. He was then told that the course he had pursued would cause him to lose the Protestant support in the county, but he was proud to say that the Protestants thanked him for the action he had taken in supporting so liberal a measure. He especially appealed to his friends representing a Protestant minority in Lower Canada to support the resolution before the House. If ever the time should arrive when the Protestant minority of Quebec were not treated with liberality, to whom should they appeal but to the high Court of Parliament, and that appeal would not be made in vain. Every legal means had been tried, the appeal had been taken to the British Privy Council, which had decided against the Catholic minority. In the hour of their desolation and despair they come to this House asking their fellow-countrymen to grant them justice, and under those circumstances, endorsing as he did every word in the resolution, he felt satisfied that at all events on the part of the Protestant majority in this House the appeal would not be made in vain.

Mr. POWER said that Parliament ought to take some action towards giving relief to the Catholics of New Brunswick, who, it was well known, were cruelly treated in their school matters by the Government of that Province. It would be an act of charity on the part of this House to do this, when we knew that some of the Bishop's effects, the Priest's few necessaries, and the poor man's furniture had been seized and publicly sold to pay a tax which they conscientiously be-

lieved to be unjust, and one which they should not be required to pay. Let him give hon. members some idea of the spirit which influenced the Government of New Brunswick in this crusade. We had in the Province of Nova Scotia the same gentleman for Superintendent of Education as he who now fills that position in New Brunswick. Previous to 1867, and when a Conservative Government ruled in Nova Scotia, this Superintendent, being a *protege* of that Government, made no trouble; nothing was then heard of the necessity for Christian Brothers or Sisters of Charity undergoing a public examination; not a word about the necessity for their putting off their plain and humble distinguishing garb. But no sooner did a Reform Government come into power, by the sweeping result of the elections of that year, than this same superintendent looked on those teachers with different eyes. He then saw that they ought, and should be examined, although he had frequently said in his periodical report and address to the commissioners of schools, that the Christian Brothers, and Sisters of Charity were the only schools in the city into which he could introduce a stranger with any degree of pleasure or satisfaction. It was very generally believed that his object in adopting this course was to make trouble between the Local Government and the Catholics. Be this as it may, his conduct was considered so much out of the way that he was dismissed. He was, however, received after being out of office for some time, with open arms by the New Brunswick Government, and they found him as they believed they would, a willing assistant for their coercive purposes. Was it to the credit of that Government to employ a man who had been dismissed by the Government of the adjoining Province for his mischievous tendencies? And was it not evidence that they contemplated harsh measures towards their Catholic fellow subjects. It may be urged that we ought not to object to send our children to the common schools, and that our objection is to having them associate with those of different religions. This, most certainly, is not the fact. We have no more objection to have our children associate with those of a different denomination, than we have to come here and vote with you for or against any measure that we may believe to be for the benefit or injury of our common country. We believe in the necessity of a religious education, and object to send our children to common schools, for the reason that no religious instruction is given in them. It may be said, and it has been said, that the parents and pastors are the proper persons to impart religious instruction. Supposing it to be so, the parents of children who would frequent common schools, being mostly working men, would feel more disposed for rest, after their day of severe toil, than to give the desirable instruction, even if they were capable of doing so, and a large number of parents are incapable of giving instruction of any kind, while others are careless in such matters. Depend upon it that children restricted to such chances of being religiously instructed will be but very poorly instructed. As to the pastor, even if he can manage to steal a half hour or so from his other arduous Sunday duties, for the purpose of giving religious instruction, it may have some effect, but certainly not so much effect as if half an hour each day at the school was devoted to that purpose. It may be asked, how it is that no complaints are heard from Nova Scotia, where the School Law is pretty much the same as it is in New Brunswick. It is because bigotry is not in the ascendant there; because we have a Local Government that is tolerant; because we have a Legislative body which represent constituencies that, with one or two exceptions, are intelligent and liberal in the true sense of the word, and would not allow their representatives even if disposed to do so, to persecute any body of Christians for conscience sake; and finally because we have a Superintendent of Education who administers the duties of his office in a truly Christian spirit. These are some of the reasons why hon. members do not hear the same cries for protection from the weaker party in Nova Scotia that you do from New Brunswick. With reference to the amendment which had been given notice of by the hon. member for South Bruce, that hon. gentleman, in one of the ablest and most logical speeches ever delivered in this House, proved conclusively that the Catholics of New Brunswick had a fair right to their separate schools; for "as they were in operation and had been,

recognized by the Government of that Province previous to the passage of the Confederation Act, and that, although no special provision was made for them in that Act. As all rights and privileges enjoyed by minorities were reserved to them, no other conclusion could be drawn than that the Catholic minority of New Brunswick had a right to separate schools." It has been urged that the Privy Council in England decided against the plaintiffs in this case. But that circumstance does not weaken its equity. If the Catholic minority of New Brunswick were entitled to have their own schools at the time the hon. member for South Bruce gave that as his opinion, (and he was in as good, if not better position to form a correct opinion, as those who considered the question three or four thousand miles away), then they are entitled to have them now. The conduct of the New Brunswick Government has not altered in any way. The Catholics were then treated with severity; they are treated with equal, if not greater severity now; and it is not the Irish portion of the population alone that are thus treated, but the French and Scotch as well; all are treated alike in the disreputable crusade. It has been objected that, as this is a matter which is within the jurisdiction of the Local Government of New Brunswick, any interference in it would involve an alteration of the constitution. Well, even if it should do so, ought that consideration deter hon. members from doing what they believe to be right? They change the constitution in the United States as circumstances render necessary. The motion of the hon. member for Bothwell, the other night, touching the organization of the Senate, and which this House affirmed, involves a change in the Constitution. Changes will have to be made as circumstances require; and can any circumstances arise, by which an amendment of the Constitution would, or could be more justifiable than that which would relieve from oppression a large number of your fellow subjects. The Catholics of New Brunswick now support their own schools, and at the same time are obliged to pay their full share of the tax for the support of other schools, though securing no benefit whatever from them. Is not this hard; and can you blame them for feeling sore in consequence? If it was considered desirable and necessary to provide for the protection of the Catholic minority of Ontario, and the Protestant minority of the Province of Quebec, in the Act of Union, was it not equally necessary that the minority of New Brunswick should have been protected. But as they had no friend at hand when that Act was framed, their claims were omitted, and in view of the deplorable results which have followed that omission, even to the shedding of blood, this House would be fully justified in interposing its authority between the oppressed minority of New Brunswick, and their oppressors. The natural boundaries of school districts in the Counties of Halifax and Antigonish divided Catholics and Protestants in such a way as to give to each denomination control of its own schools, with a full share of the general fund for support. It might be supposed that no one would wish to disturb this harmonious state of things, and yet there are some who would do so, among whom are some Ministers of religion, not many happily. Well, those are not the principles inculcated by our Divine Saviour, whose precepts it should be the aim of all to follow. Would any member of this House, wish to see the Menonites for the encouragement of whose immigration the House the other night appropriated $100,000, and whose religious tenets are said to be very peculiar, forced to yield up any one of those tenets. Nay; if the attempt were to be made, hon. members would interfere to prevent it. And are the Catholics of the Dominion to receive, less consideration; and if they have conscientious scrupules in matters connected with the education of their children, the House ought not remain inactive spectators, whilst they are being treated as they are in New Brunswick. In conclusion, he asked the House to act in accordance with the golden rule, "Do unto others as you would wish that they should do unto you," and extend its protection to the Catholic minority of New Brunswick.

Hon. MALCOLM CAMERON said he felt peculiar difficulty in dealing with this question because while all his past history, his feelings and his convictions were, in favor of the object sought to be accomplished by the mover of the resolution, he could not see his way clear to vote for it.

He was one of those who voted for separate schools at their first inception. Hon. members knew that he was driven from Lambton because he supported separate schools, and he did so because he believed no people could prosper and no Government could be satisfactorily carried on where there was even a small majority who felt in their consciences, that they were being trampled upon. He warned his hon. friends from New Brunswick that though they might succeed to-night in voting down the resolution yet feelings of disappointment and sorrow would follow. There never were stronger prejudices created in any country than those aroused in Upper Canada against separate schools. If the people of New Brunswick would examine the past history of Canada they would find that the agitation on this question in Upper Canada resulted in the division of families and churches, and he was gratified to know that hon. members had come to agree with his views that in order to carry out successfully the Government of a country it was necessary to concede certain points when they did not interfere with the consciences and wishes of the majority of the people. He would not sustain the resolution because it asked that the Imperial Parliament should step in and deal with this question, this interfering with the management of the affairs of a Province of this Dominion. He warned hon. gentlemen who, for party or other purposes, on this occasion sought to override the local constitutionals that they were sowing the wind to reap the whirlwind, and their destruction would be caused by that very storm which they were now raising. We had a right to ask the Imperial Government to alter the Federal Constitution, but not alter the Local Constitutions. But who altered the constitution in respect to the Senate as it was originally drawn. Hon. members talked about the Senate as if they were about to touch the Ark of God—that the Senate was a grand institution although its organization was decided upon in a day without the consent of the people. He labored twenty years to get the Senate made a respectable body by making its members elective, and nine-tenths of the people felt that we should return to that system. He did not think that we could have a better system than that of an elective Senate with a long term of office. In the resolution submitted by the hon. member for Vittoria, there was a direct request that the British North America Act should be amended, and the Imperial Parliament was called upon to interfere in the local affairs of that Province. He could not vote for that proposition because he would not submit to it himself, nor would the people of Ontario submit to it. If such a proposition was submitted to the people of Ontario, we should hear much more than at present about Downing street rule three thousand miles away. The people would not submit to the Constitution being altered by any authority except their own. He would submit to the Constitution as it is, and would support any course adopted or taken by Parliament to bring about a change in New Brunswick; but he would not ask the Imperial Government to legislate regarding the local affairs of any Province of this Dominion.

Mr. DEVLIN—Is it not true that the Imperial Parliament has not legislated already on this very question for Ontario and Quebec? (Cries of "No, No!"). You will find the rights of the minority have been guaranted by the Imperial act.

Mr. MACKENZIE (Montreal) said that the House should remember that the Roman Catholics of New Brunswick, prior to Confederation, enjoyed the right of having separate schools for children whose parents held the Catholic faith. After the Province had entered into Confederation those Roman Catholics were deprived of that privilege. At a later period the Roman Catholic minority appealed to Parliament to remove the injustice under which they considered they suffered. Let the House consider the facts, and let hon. members place themselves in imagination in the position of the New Brunswick Roman Catholics, and feel as they did on the subject of religious education; it would be a little difficult for some Protestants to do so, but they could accomplish it with a little effort. Well, Roman Catholics felt that unless religious instruction was given in the day schools, their children were being brought up in imminent peril of eternal perdition. They did not have Sunday schools connected with all the churches, as was the case with Protestants, but the children obtained their religious education during the week from teachers in whom the priests had confidence. Assuming that the schools in

New Brunswick were in the common sense of the term common schools, and managed as prudently, and possessing all the safe-guards which any lover of justice could wish, what confidence could the Roman Catholics, holding those views, have that no teacher of those schools would influence the minds of the pupils in regard to religious matters. Might not the minds of the pupils also be influenced by the text-books or possible companions met with at the schools. Again, the absence of religious teaching was the main point to which Catholics decidedly objected. Now, he appealed to any member of this House if it was possible for any Catholic or Protestant teacher to give this teaching in such a way that he would not impart into it some sectarian element that would be dangerous in the view of some of the different branches of the Christian Church. It had been said that if this resolution was carried it would encourage the Imperial Parliament to interfere with our politics and our constitution; but there was no danger from that source from the fact that the Imperial Parliament would never undertake to change our constitution without the request of this House. This House would always have to initiate any change. He was glad that so little of the proverbial *odium theologicum*, so little of sectional feeling had been imparted into this debate, and he was also glad that it had not drifted, as at one time he feared it would into a mere discussion as to whether non-sectarian schools were better than separate schools. They were not discussing that question upon this occasion. What the House was called upon to consider was whether the minority of the Province of New Brunswick should not possess the same privileges which the minority in the Province of Ontario and the minority in the Province of Quebec now enjoyed,—privileges which the Catholics of New Brunswick possessed before Confederation, and which they desired should be restored to them. If hon. gentlemen were determined to do what was right, if they wished to base their action upon reason and conscience, they would concede the point asked for in Mr. BABY'S amendment and Mr. COSTIGAN'S motion.

Mr. BURPEE (Sunbury) agreed with the hon. member for Montreal West that the absence of religious acrimony was a very desirable feature of the discussion, and the sentiment contrasted very strangely with some of the remarks of the hon. member for North Ontario. The member for Victoria admitted in his speech that the people of New Brunswick were as enlightened, as intelligent, as willing to do justice to all their fellow-citizens as any people in the Dominion of Canada, and he (Mr. BURPEE) desired that hon. gentlemen less informed on the subject, should not be so forward to express their opinions, and not so ready to conjure up their obnoxious pictures of the state of things in that Province. He thanked the hon. member for Victoria for the justice he had done his fellow-citizens of the Province of New Brunswick, and he assured him that the sentiment would be appreciated. The question before the House was not whether it was best to have separate schools, or whether it was best to have free schools. That, he thought, admitted of no doubt. He did not think this was the place to discuss it. It was exclusively within the jurisdiction of the Local Legislature to pass upon the question, and as a humble member from the Province of New Brunswick, he most earnestly protested against this Parliament interfering with matters not pertinent to their jurisdiction. He would not say that such interference would be impertinent to the Legislature of New Brunswick, but he would say that the attempt to interfere was very bad policy, and had an entirely opposite effect from that intended by the hon. gentleman who moved the resolution. If there was any one thing more than another which had hindered the people of that Province from arriving at a solution of this difficulty; it was the extreme views urged upon them. First, this Legislature interfered when it had no right, and then there were gentlemen from an adjoining Province imprudently interfering with what was beyond their concern. This naturally excited opposition in the minds of the majority of the people of New Brunswick, and prevented them from viewing the matter as dispassionately as they otherwise would have done. If the leaders of the Roman Catholics in New Brunswick, and the exponents of their views in this House, and in the Province of Quebec, had been more moderate in their tone, a solution of the question might have been

arrived at ere this time. The House of Commons was not the place to discuss the merits and demerits of the School Law; but he was bound to say that the description of the operations of that act by some hon. members was entirely incorrect. It was not the tyrannical law that it was represented to be by some hon. members. There was no such persecution under it as they represented. Under that law there were at present 1,100 teachers, out of whom 250 were Roman Catholics. If this law were as Godless—if it were as oppressive to the Roman Catholics of the Province as some hon. gentlemen said it was, why did those Roman Catholic teachers assist in carrying out what was against the conscience of their church? Was there no restraining power in that church that could prevent these teachers from exercising their functions under the law and encouraging what was called a persecuting spirit? Again, as has been said by an hon, gentleman already, out of about 50,000 children attending the common schools of the Province, 6,000 were Roman Catholics. Since this was the case he submitted that it constitnted another argument against the assertions of those gentlemen who stated that this law was this fact that prevented them from meeting the Roman Catholics in a liberal spirit. So far as he was himself concerned be felt rather indifferent as to what the vote of the House upon this question might be. The majority of the people of New Brunswick stood behind a bulwark impregnable to this House. They stood behind the bulwark of the British North America Act which could not be disturbed except with the consent of the Local Government. The sooner the Province of Quebec left the Province of New Brunswick alone to do its legitimate business without interference, the sooner and the more satisfactorily would this question be decided. He repeated he awaited the verdict of this house with comparative indifference.

Mr. WRIGHT (Pontiac) said he had followed the lead of the hon. member for Victoria on a former occasion, and would gladly do so now. He was pleased to see his fellow Protestants from Quebec coming forward to do justice to the minority in New Brunswick. He was somewhat surprised at the remarks of the hon. member for Sunbury, that for certain reasons the Legislature of New Brunswick had not met the reasonable wishes of the Roman Catholics of the Province. He did not think the proposition the hon. member deduced therefrom justified the conduct of the Protestant majority of New Brunswick. He (Mr. WRIGHT) approached this subject not for political reasons, but as one of a small minority of Quebec, who, being allowed to educate their children in their own way, were willing to extend the same right to the minority of another Province. He was no advocate of separate schools. He believed that in this new country we should not have secular education. The rising generation should be taught to forget their differences of creed and nationality, but he knew that the same reasons which prevented the formation of a legislative union instead of the existing one, would stand in the way of non-sectarian schools. The Roman Catholics believed that religious education should go hand in hand with secular education. He might choose to say this was prejudice, but it was prejudice so deeply rooted that it should be allowed to have its way. So long as our Roman Catholic fellow-subjects took part with us in the great secular was tyrannical and unjust and a persecution. Both of the hon. members for Montreal had stated that the constitution had been violated by the New Brunswick "Better Terms." He was surprised to hear such statements. He would like to know in what way the constitution had been violated in that respect. For his own part he failed to see it, and humbly offered the opinion that it was not the case. He would observe that this debate should be conducted with moderation. If there was one thing more than another that he would deprecate in this House it was a religious discussion. He protested, however, against the hon. member for Montreal Centre threatening this House that the country would be kept in continual turmoil until this question was settled. It was an attempt to coerce this Legislature in reference to matters over which they had no jurisdiction, and he protested against it as disrespectful and unnecessary. It might be that the law in New Brunswick had not been administered with the same moderation as is had been in Nova Scotia. The hon. member for Halifax had so represented it. He

(Mr. BURPEE) regretted the fact. He was sorry, for the laws it was true were almost similar. Perhaps both parties were to blame that they worked unsatisfactorily in New Brunswick. His own opinion was that the minority was most to blame. Perhaps the law was too rigorously carried out, and perhaps some of its provisions were open to objection. Yet when an offer was made to repeal it by regulation, the Roman Catholics refused to accept the concession, and insisted that the case should be met by an Act of the Assembly. If the Province had consented to this legislation they would have been virtually permitting the jurisdiction to pass out of their own hands into the hands of the Federal Legislation. They had by the constitution no power to amend, and no power to repeal. That section of the constitution he considered a very objectionable one, and the majority of the people in Nova Scotia looked upon it with very great suspicion. They believed it was inserted in the Act after it went to London, and he believed, clandestinely. They therefore very wisely concluded not to be coerced by the minority into making laws that would denude them of their constitutional rights. It work of this Dominion, so long as they were as loyal and worthy members of this community as the Protestants they were bound to be respected even in their prejudices. The effects of their system of education could be seen in the men they sent to this Parliament. He asked whether Quebec had not sent as able men as the representatives from any other part of the Dominion? He hoped that the Protestants of Quebec would unanimously support the resolution.

Mr. GOUDGE felt it his duty to give expression to what he believed to be the popular sentiment of Nova Scotia. Without entering on the merits of the question of separate schools, which was not the subject before the House, he would deal with the constitutional point. The 93rd Section of the British North America Act declared, "In and for each Province the Legislature may exclusively make laws in relation to education." If this House should pass the resolution before it, he felt satisfied the first blow would be struck at the integrity of this Confederation. It was not yet eight years since it was established. The mortar used in the construction of it had hardly become dry, and yet those who assisted in building it were beginning to pull the very foundation stone from beneath it. One of the subjects left to the exclusive control of the Local Legislature under the British North America Act, was education. Their powers were abridged in this respect, that the Provinces in which separate schools were established could not change that system after Confederation, but with that exception they were given exclusive jurisdiction in matters of education. After the decision of the law officers of the Crown in England, he was surprised that hon. gentlemen had the hardihood to come before this Parliament and ask it to interfere with the rights of any one of the Provinces. The hon. member for Victoria, for whom he entered very high respect, had introduced into this House something which might produce consequences he did not anticipate. While the Roman Catholics of New Brunswick might feel this Act bear somewhat hardly upon them, it should be remembered that the object of the Lower Provinces was to establish a free school system that would place all on an equal footing without respect to creed or denomination, in order that they might as far as possible remove the ill-feeling engendered by the former modes of education. The feeling of the people of Nova Scotia was that any attempt made to break down the present school system of New Brunswick was but the entering wedge to destroy their own system of education. That system was working well. In the town in which he lived the children of all denominations met together and no difficulty resulted from it. If this House should decide that it could not and would not interfere with a question coming within the Province of a Local Legislature, they would find that an understanding would be arrived at by the several parties in New Brunswick that would allay the discontent which now existed. If, on the other hand, this resolution should pass, there would be an agitation for a repeal of the union, The feeling that was engendered in Nova Scotia by the manner in which the Province was brought into this union, still, to a certain extent existed. The iron had entered into the souls of the people to such an extent that they had not to this day forgotten it, and if this House

should over-ride the constitution as proposed, it would at last have the effect of separating them from the union.

Mr. MILLS agreed with some of the statements made by the hon. member who had introduced this motion. He agreed with the hon. gentleman that the Nova Scotia subsidy did alter, to some extent, the terms and conditions of union. He agreed with the hon. member that the appropriation of revenues of this Dominion to any one Province except as authorized by the Confederation Act was an expenditure for the benefit of that one Province at the expense of the others, and so far as this was done, the compact entered into had been departed from. He agreed, too, with the statement that the principle of representation by population had been violated by the terms and conditions upon which British Columbia and Manitoba were admitted into this Confederation. The hon. member for Kingston assented to that proposition! He (Mr. MILLS) was glad of it, because the late Government had contended that the principle of representation by population referred to the four Provinces which originally formed the Confederation and to no others. The 146th section of the British North America Act showed that the terms were intended to apply to all the Provinces, as well as to the four original members of the Confederation. Under its provisions no terms or conditions could be granted to any Province unless they were consistent with this Act, and the constitution was, therefore, violated by the terms granted to British Columbia and Manitoba, but that was no justification for persisting in that course. He did not admit that the resolution which he (Mr. MILLS) had submitted to this House in reference to the Senate, and in which this House concurred, proposed any alteration of the Confederation Act which could be regarded as an interference with the rights of the Provinces. There was no reason why the provisions of the British North America Act, defining the rights of the Local Legislature should not have formed a separate Act. There would then have been no confusion as to the provisions which affected the Federal Parliament and those which affected the Local Legislature. The proposed change in the mode of constituting the Senate did not limit the authority of the Provinces, or alter the representation of the several Provinces any more than if he had proposed an extension of the franchise or a change in the duration of this Parliament to two years. Such changes would not be considered a violation of the rights of the Provinces, but what the hon. gentleman proposed was quite a different matter. It was a proposition to this House to ask for an amendment of the constitution affecting, not its own powers, but the powers of the Legislature of New Brunswick so that that Province might not be able to do that which it now rightly or wrongly thought in the interest of the public it should do. If he (Mr. MILLS) were in the Legislature of New Brunswick, he would agree with the hon. gentleman. It was unfortunate that the minority in that Province should be placed in the position in which they were. Although he believed in secular education, yet if he found a minority believing in denominational education he would be disposed to give them what they desired. Denominational education was better than none at all. The statement made to-day showed that while the Roman Catholics of New Brunswick formed one-third of the population, only one-ninth of the 50,000 children attending the schools belonged to that creed. That was a very unsatisfactory condition of things, and ought to have great force with the people of New Brunswick. The question should be agitated at the hustings when the parties were seeking election to the Local Legislature. That would be the legitimate course, but when this House was asked to amend the Constitution of New Brunswick in order that something could be accomplished which the majority of the people of New Brunswick were not disposed to do, he thought too much was asked. The hon. member for Victoria said the people of New Brunswick were not fit to legislate, and because they were not, he asked this House to deprive them of the power which they, themselves, were anxious to retain. That would be a very serious violation of the federal compact, and he (Mr. MILLS) did not see where it would end. If Parliament could amend the Constitution of one Province without the approval of its legislature, there was no security whatever for the continuance of the present system, because, he apprehended, any Government might be in straitened circumstances, its existence might depend upon a few votes,

and an influential member who might be dissatisfied with what was being done in his own Province might make an amendment to the Constitution the price of his support. In Quebec there were peculiarities in the law relating to property and civil rights. Would the members from that Province be satisfied if this Parliament were to say it was inconvenient that Quebec should have such laws, and should proceed to legislate them away? Would Quebec be satisfied if that were done? There was no question of conscience involved in such a course, there was no serious agitation on the question in Quebec, and yet the Province would be very unwilling to surrender its rights in that respect. She would feel that she had no security for any of her local rights if these were taken away from her without her consent. What right could Quebec put forward for the maintenance of these peculiar provisions that New Brunswick could not for hers. The British North America Act favors the Catholic population. It provides that any Province having separate schools before confederation should have them for all time, and also that any Province not having them at the time of the union, but conceding them at any future time shall concede them as a right which can never be taken away. Did any one believe that Parliamentary Government could be carried on for many years in New Brunswick and the Catholic population fail to carry their point? And if they should once succeed in securing what they desired, they would possess those rights and privileges for all time. All they required to do was to exercise patience and forbearance until the proper time, and their triumph would come. CHARLES LAMB, on one occasion, said "it is an expensive business to burn down your house to cook your dinner," and he (Mr. MILLS) thought it was a serious business to destroy the local independence of one Province, which would destroy the independence of all, in order to carry out some measure that was thought to be just and fair. The hon. member for Victoria would see from the despatches from the other side of the Atlantic that, even if he carried his resolution the Imperial Government would not consent, without the sanction, of New Brunswick, to take away any of the rights of legislation which she possessed. He did not see what the hon. gentleman had to gain by bringing forward his motion here. As a matter of constitutional right we had no power to legislate upon this subject. The line which separated the powers of the Local Legislatures from those of the Parliament of Canada, was as distinct as if it was a geographical boundary marked out by the surveyor; and when the hon. gentleman came here and asked them to change the Constitution of New Brunswick, he was asking them to exercise the right of the stronger against the weaker party, he was asking them to do towards New Brunswick what he said the people of New Brunswick had done towards the Catholic population of that Province. Now, if the gentlemen who were favorable to this proposition persisted in it, he (Mr. MILLS) could tell them where, in his opinion, it would end. It would end by resuscitating the agitation and discussion upon the question of sectarian schools throughout the whole Dominion; it would end by a demand for the transfer of the subject of education from the Local Legislatures to the Parliament of Canada; it would end by a demand to take away from the Province of Quebec those rights of nationality which he was as anxious as any one they should retain. The line between those parts of the constitution which this House might fairly ask the Imperial Parliament to alter and those which the Local Legislatures might ask for amendment, so far as they could not amend themselves, was perfectly clear. What affected our own powers of legislation, excepting those principles of representation by population which the Constitution established, rested with the Parliament of Canada; what affected the functions, and powers, and authority of the Local Legislatures, rested with them. Where the Constitution itself put them we had better in this instance allow them to remain.

Mr. THOMSON (Welland) said he rose for the purpose of explaining the vote he was about to give. His political creed had always been Provincial Sovereignty. He had given a good deal of study to the history of the United States during the last 30 or 40 years, and that had led him to the belief that the only safety for the perpetuation of the institutions of the United States was State Sovereignty. When Confederation was thought of in

this country he held, and defended the doctrine in Upper Canada, that the Provinces should be jealous of their rights, and should never allow the Dominion Parliament to legislate in any matter for the Province that the Province could do for themselves. The result now before the House struck a blow at the very root of that doctrine. To his mind there was no religious question involved in it. He had no objection to the Catholics of New Brunswick, or of any other Province, having separate schools if they chose, but he would vote against the resolution on the principle of the independance of the Provinces to which he had just adverted.

Mr. SINCLAIR said the question was a very serious one and deserved careful consideration. The member for Halifax had told us to "do to others as we wished others to do to us." We could not go astray in following that golden rule, and he would like to ask the people from the other Provinces how they would like their Provinces to be dealt with by this House as it was proposed New Brunswick should be dealt with. It was not merely that such a course would be interfering with a matter which belonged to the Provinces, but it would be dealing with a matter which was expressly excluded by our Constitution from the control of the Dominion Parliament. In spite of that a motion was now brought forward to compel New Brunswick to grant the liberty of establishing schools. The feeling was bad enough in New Brunswick already, and the discussion of this question here would only make it worse. Hon. members would find that if they did not allow New Brunswick the privileges she enjoyed on coming into the Union, it would soon be found that she was not going to remain in the Union. It would be better to leave this question to be settled by the people of New Brunswick. Was it doing to others what we would that others should do to us, to take away from New Brunswick those rights which, on entering Confederation, she believed were forever guaranteed to her. They had very much the same question raised in Prince Edward Island, and he knew how the feeling would be there if the Dominion Parliament undertook to interfere with the legislation of that Island on this subject. It had been stated in the course of this debate that for this Parliament to deal with this question would be one of the means of building up our nationality. On the contrary, he believed that nothing would be more likely to break up the Confederation than just such action as was proposed. In his judgement this Parliament had no right even to discuss this question, and its discussion even so far would be productive of great injury to the minority in New Brunswick. It would show to the majority there that there was a feeling in this House not to abide by the compact that had been solemnly entered into by the Provinces and that some of the members were anxious to break it up. The result of this would be to still further excite the ill-feeling that unfortunately prevailed in New Brunswick. Reference had been made to the resolution of the member for Bothwell respecting the Senate, but the two cases were clearly distinct. This Parliament undoubtedly had a right to deal with its own constitution, but it had no right to interfere with the exclusive rights of the Local Legislatures.

Mr. CURRIER said that whether this question ought to be discussed in this House or not, it was now before them and they would have to vote upon it one way or the other. For his own part he would vote for the resolution for the reason that he would not be so bigoted as to say that he would not grant to the Roman Catholics of New Brunswick the same privileges and laws that the Protestant minority in Quebec and the Roman Catholic minority in Ontario, enjoyed.

Mr. PALMER said that as a member from New Brunswick, he could not allow the resolution to go to the vote without expressing his views upon it. He admitted that this House had already affirmed the principle of interference with the Constitution, which afforded a sufficient reason for his hon. friend from Victoria bringing forward this resolution, although he (Mr. PALMER) did his best at the time to prevent the House affirming such a principle. He still held the opinion that the House was wrong in taking that action. It was a misfortune for both sides in New Brunswick, because it could not be denied that this question had been turned into one of hostility. It was almost a pity that the question could not be dealt with by this House, because after the expression of the sentiments of patriotism and liberty which he had

heard in the House to-day, this House would doubtless deal with such a question in a fair and proper spirit. He held strongly to the opinion that this was not a tribunal where this question could be properly discussed, and the Imperial authorities, he noticed from the despatches, had even gone beyond this view. In the despatch from the Colonial Secretary to the GOVERNOR GENERAL on the subject of legislation, with reference to schools, the Colonial Secretary states, "This is a matter in which you must act on your own individual discretion — in which you cannot be guided by the advice of your responsible Ministers." So sacredly did the British Government regard Provincial rights that they laid down the doctrine that the Governor in the exercise of the vetoing power was not to be guided even by the advice of his responsible Ministers. That was a doctrine that he (Mr. PALMER) was hardly prepared to subscribe to. He had believed that the Governor General stood in the same position in reference to the vetoing power as the QUEEN had stood before Confederation, and he never supposed that the responsible advisers of the QUEEN were not answerable for the action of the QUEEN in vetoing the act of a Provincial Legislature. He wished to appeal to the fair consideration of the House whether or not it would be to the best interests of this Dominion to allow the Federal Parliament to interfere with the powers of the Local Legislatures as found in the Act of Confederation. Was this the proper forum for the discussion of such a subject as the one brought before the House to-night, or was the subject entirely within the control of the Local Legislatures? That was a grave question. The member for Bothwell, when he had a hobby to ride had a peculiar way of getting out of a constitutional difficulty. The hon. member held that the Federal Legislature was competent to deal with matters connected with its own constitution, but not with the powers, of the several Legislatures. On the contrary, his (Mr. PALMER'S) contention was that where each Province was supreme in its own jurisdiction before Confederation, by the Act of Confederation gave up certain of its powers to the Dominion Parliament, but they gave them up under certain well defined conditions. For instance, they gave them up to be dealt with by a nominative Senate, and by a House of Commons elected in the manner the Confederation Act pointed out. But if his hon. friend from Bothwell was right, what was there to hinder this Parliament from saying that the House of Commons should be nominated instead of elected. He held, therefore, that even with regard to that part of the constitution, this Parliament had no right to seek the alteration of the constitution without the consent of the Local Legislatures who were the parties to the original compact. The hon. member for Montreal Centre had appealed with a great deal of eloquence and force for justice to the Roman Catholic of New Brunswick. He (Mr. PALMER) would be prepared to discuss that question at the proper time and on a proper occasion, but this was not a proper form for such a discussion. The hon. member had asked if the constitution was so sacred that it could not be touched. No, it was not; but it was so sacred that it could not be touched except by the same power that created it. If his hon. friend would advocate the removal from the Local Legislature to this Parliament of the subject of education by the same mode that our present constitution was created, he (Mr. PALMER) was not prepared to say that he would not support him, but when he asked this Parliament to apply to the Imperial Parliament for a change in the constitution on a subject unquestionably within the powers of Local Legislatures, he must differ from him. It was true the hon. member for Montreal Centre held that the majority in the Province acted wrongly, but who was to decide that, and were not the rights of the majority to be considered? For his part, when the subject came before the proper forum, he would be prepared to deal fairly by the minority, for it was in the interest of both the majority and the minority that this question should be settled. But when you throw into the scale against the Catholics of New Brunswick, in addition to the fact of their minority, the fact that they asked to take away from the majority of the Province what the Constitution had clearly given them, did not his hon. friends see that they put an immense power into the hands of persons who seek to oppress the Catholics. They would say, here is the minority going to the Dominion Parliament and asking to take away from us the rights secured to us by the Constitution, when they might as well go to the United States,

so far as any power was concerned. Any one could see what an immense power such a course placed in the hands of those who wished to deprive the Roman Catholics of the Province of the rights they demanded. For the same reason it was to be regretted that this discussion had been brought up here at all, because it would create an impression in his Province, that there was a desire on the part of many members to override the Local Legislature. No matter whether the Local Legislature had acted rightly or wrongly, this Parliament had no right to interfere. This House might as well deplore the state of education in Spain, and discuss some means for improving it, because they had as much power in the one case as in the other to deal with the subject. The hon. member for Montreal Centre had spoken of a higher law, but on a question as to the respective rights of the Federal and the Local Legislatures there was no higher law than the Confederation Act. Supposing the question of education was to be dealt with by this Parliament, New Brunswick would still take the same position, for in the recent local elections out of forty-one members only four were in favor of a repeal of the School Act. If the question were admitted to this Parliament, there would be no improvement in the result. Instead of men of broad and moderate views being sent to represent the people in Parliament, men would be elected who would be imbued with strong prejudices on both sides. He commended the hon. member for Victoria for the dispassionate yet able manner in which he had discussed the question, but he (Mr. PALMER) declared that any one who introduces this subject in the Dominion elections in New Brunswick was acting the part of a demagogue, knowing as they all must know, that this Parliament had no right to interfere. He strongly approved of the resolution of which notice was given by the hon. member for South Bruce, and expressed his willingness to second it. He was glad that the hon. gentleman had came forward with such a resolution, for it appeared to him at the beginning that he (Mr. BLAKE) entirely concurred with the view of the Catholics and the hon. member for Victoria. He thought it would be somewhat difficult for the hon. member for South Bruce, however, to reconcile his views as expressed in that resolution with the views he had expressed and the vote he gave in 1872.

Hon. Mr. BLAKE said his views on the subject were not changed.

Mr. PALMER said he apprehended that it was the duty of every member of this House to treat the question in such a way as to allay the feeling that existed on the subject. Whatever came within the power of this Parliament, it became them to treat calmly and dispassionately. The harmony of this Dominion, and the future working of the constitution depended on the strict observance of the powers conferred on each legislative body. Any attempt to go further must surely result in a collision. Supposing that these grievances did exist, and the Imperial authorities attempted to repeal the law, he held that New Brunswick not having exceeded the power conferred on her by the constitution, was entirely relieved from the terms upon which she entered this Confederation. Everything depended upon the agreement under which Confederation was entered into. It was a great misfortune that there was no mode under the constitution by which it could be amended. All that was required to a change in the constitution was the consent of the power that made it. But nothing short of that would avail. The bargain might be a bad one, but if so all that could be said was that it was a misfortune for the Dominion. While, however, he took this ground, with reference to the law, he felt his mouth was closed. With the Catholic minority it was a matter of conscience that they should have religious instruction imparted along with secular education. On the other hand, it was a matter of conscience with Protestants that no part of their money should be expended for the indoctrination of religious dogmas hostile to their own views. It was therefore impossible to make any law on the subject of education, by which one party or the other would not consider their consciences violated. He wished that they had remained, in New Brunswick, as they were previous to 1858, up to which time they had no school law at all, and no difficulty about their education. Since then the spirit of religious fanaticism had been abroad, and a state of things existed which was to be deplored, and

which every man who had the interests of his country at heart would like to see allayed. Take what action the House might, either one party or the other would feel deeply aggrieved. However much the school system of New Brunswick might be opposed to the ideas of the Roman Catholics, it could not be said of it that any particular religious education was authorized by it. The principle upon which it was founded was a very fair one in theory, but in practice according to the peculiar views of the Roman Catholics, it might not be fair. In point of law at least the majority of the people in New Brunswick were right. Their views had been upheld by the Privy Council when appealed to, and this Parliament could neither alter the law nor amend it. He regretted this, because he believed if it were in the power of this Parliament to deal with the subject, a satisfactory settlement would soon be arrived at. He denied that better terms had been granted to New Brunswick as one hon. gentleman stated. What was granted to her was mere compensation for means of local revenue taken away in consequence of the Washington Treaty. He did not consider it necessary upon this occasion to set forth his personal views with reference to the law itself; nor was it necessary for him to state what course he would have thought it just to pursue had the question been within the jurisdiction of Parliament. There was no doubt however that it was beyond the jurisdiction of this House, and that point being settled, he refused to enter into further discussion.

Mr. DYMOND said there was no reasonable prospect that a vote could be come to upon this question to-night. He therefore moved the adjournment of the debate.

Mr. ORTON said they had heard a great deal of talk on the constitutional question, notably from the hon. member for Bothwell, but his expressions of opinion sounded rather strangely in view of his action of but a few days ago. Nevertheless the constitutional question was well worthy the consideration of the House. When a great public wrong existed, and when a deep feeling of indignation prevailed regarding it, even our constitution might be approached with a view to its amendment. We could at least petition HER MAJESTY with reference to questions of that character. There had been attacks on our Constitution latterly, but there had been no public clamor for them, and no grievance had been felt which they proposed to remove. With regard to the separate school question, it had been fully discussed and he thought that in Ontario and Quebec we had came to the conclusion that separate schools were for the public good. It was not in the interests of the public that the country should have a renewal of the former struggles on this question. It would be a sorry day for Canada when the demon of religious strife was again raised and for that reason Parliament should adopt the motion of the hon. member for Victoria with a view to the settlement of the New Brunswick school difficulty. Both from a patriotic and a Christian point of view it was desirable that this question which agitated the evil passions of men should be disposed of.

The motion for adjournment was carried.

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at 11.20.

HOUSE OF COMMONS,

Tuesday, 9th March, 1875.

The SPEAKER took the chair at three P.M.

NEW BRUNSWICK SCHOOL QUESTION.

Hon. Mr. BLAKE desired to call attention to what occurred at the close of the debate yesterday. When he made the suggestion he did last night, he was under the impression that the result of the adjournment of the debate would be that the motion of the hon. member for Victoria would take its place high up on the orders. He had since been informed that that result only took place when the adjournment of the debate was caused by the adjournment of the House. He would therefore move, in the absence of the hon. member for Victoria, that the said motion stand first upon the public orders for to-morrow.

Hon. Mr. MACKENZIE said there was scarcely any necessity for this motion, as there was an understanding that the question would be taken up immediately after private Bills.

Mr. MASSON hoped the motion would

be made because, if it was not, any member might object to taking up the question out of its order.

Motion carried.

BILLS INTRODUCED.

The following Bills were introduced and read the first time :—

Mr. BABY—To authorize F. X. GALARNEAU to build a bridge over the Assomption river at the Portage.

Hon. J. H. CAMERON—To further amend the Act respecting controverted elections.

Hon. Mr. GEOFFRION—To compel persons delivering merchantable liquids in casks to mark on such casks the capacity thereof.

Hon. Mr. CARTWRIGHT — To amend the Act respecting Life Insurance Office.

IMMIGRATION DUTY.

Hon. Mr. SMITH (Westmoreland) moved that the House do resolve itself into Committee of the Whole to-morrow, to consider the following resolutions :—

1. That it will conduce to the promotion of immigration to Canada in view of combinations or unions of owners of lines of steam vessels, to fix uniform rates of emigrant passages, by creating monopoly between ports in Europe and ports in Canada and the Northern United States, to authorize the GOVERNOR GENERAL by Order in Council, published by proclamation in the *Canada Gazette*, to collect in certain cases a duty from the master of every ship arriving at any port in Canada from any port in Europe with passengers or emigrants therefor.

2. Such duty not to exceed two dollars for every passenger or emigrant above the age of one year to be landed in Canada.

3. Such duty only to be collected at such times as shall be specified by proclamation.

4. That "the Immigration Act of 1872" should be amended in the sense of the foregoing resolutions.

The motion was carried.

THE SEAMEN'S ACT.

Hon. Mr. SMITH (Westmoreland) moved for Committee of the Whole for to-morrow, to consider the expediency of extending provisions similar, as nearly as circumstances permit, to those of "the Seamen's Act, 1873," to vessels employed in navigating the inland waters of Canada. —Carried.

THE INSPECTION OF GAS.

Bill to amend the Act, 36 Vic., Cap. 48, relating to the inspection of gas, was read a third time and passed.

THE JUDICIARY.

The report of the Committee of the Whole on resolutions on the subject of the salaries of the County Court Judges of Nova Scotia, was received and concurred in.

THE POSTAL SERVICE.

The report of the Committee of the Whole on certain proposed resolutions for the purpose of amending the Act, 31 Vic., Cap 16, for the regulation of the Postal Service, was concurred in, and the resolution was referred to the Committee of the Whole on Bill No. 11.

Bill to amend the Act for the regulation of the Postal Service, was read a second time and referred to Committee of the Whole with the resolution on the same subject, Mr. JETTE in the chair.

The first eighteen sections were passed without discussion.

On clause No. 19 which read as follows :—

"The Postmaster General, upon evidence satisfactory to him, that any person, firm, partnership or company, in Canada or elsewhere, is engaged in conducting any scheme or device for obtaining remittances through the Post Office, by means of false or fraudulent pretences, representations of promises of any kind, may forbid the payment by any postmaster to any such person, firm, partnership or company, of any postal money order drawn in his or their favor, and may provide for the return of the sum named in any such order, to the remitter thereof, and may, upon such like evidence forbid the delivery to such person, firm, partnership or company, of any registered or other letter, which he believes to be addressed to or for him or them, through or by reason of any such fraudulent scheme or device, and may cause any such letter to be returned to the sender thereof, marked with the word 'Fraud,' as the reason of non-delivery to its address. Provided, that no postmaster or other person not authorized by the Postmaster General shall open any such letters."

Mr. BOWELL asked how it was proposed to carry out this provision. It seemed to him that it conferred extraordinary powers on the Postmaster General. It gave him power, on what might seem to him satisfactory evidence, to prevent the

delivery of any letter containing a remittance obtained on fraudulent representation. Suppose a wholesale merchant had, through some of his agents, taken orders in the country by misrepresenting facts, and the purchaser should find on receiving them, and after the value of them was remitted, that he had been cheated—suppose in a case of this kind the purchaser telegraphed to the city where the goods were purchased, to have the letter containing the money detained, what would be the result? The wholesale merchant might have thirty letters from the same place on the same day. Was he to have all these detained and opened? If this were not the means by which the object of this clause was to be carried out, how could it be accomplished?

Hon. D. A. MACDONALD said this was an extreme view to take of this clause. Several applications had lately been made to the department to detain letters containing remittances for certain parties, especially in the United States, and also addressed to a firm in Montreal, on the ground that the money was obtained by fraud. To such an extent had frauds of this kind been carried in the United States, that a stringent law was passed in Congress to prevent them, and this clause was almost a transcript of it. He was satisfied that whoever might occupy the position of Postmaster General, the power conferred on him by this clause would be exercised with discretion.

Hon. Mr. TUPPER asked what evidence the Postmaster General proposed to require before taking the very serious step of opening a letter sent from the Post Office Department?

Hon. D. A. MACDONALD—It is determined that when application is made to the Department that there must be undoubted evidence brought before me before any attempt will be made to detain and open a letter. There must be clear evidence that fraud has been practised before a letter can be opened.

Hon. Mr. TUPPER—Is that to be sworn testimony, or the mere statement of some parties that they believe such a thing to be the case?

Hon. D. A. MACDONALD—There can be no doubt that they must make it clear to the department, by affidavit or otherwise, that it is a clear case of fraud, before the department will take action.

Mr. BOWELL said most of these applications must necessarily be made by telegraph, so that it would be seen he did not take an extreme view of this clause after all. The moment a telegram was received by the department to detain a money letter, all letters from the same place to the same address must be stopped until it is ascertained it is clearly of a fraudulent character.

Hon. D. A. MACDONALD—No letter will be opened until such time as there is clear proof that there is fraud in the transaction.

Mr. BOWELL—I have no doubt the clause is inserted in the Bill with the very best intention; but suppose ten letters were sent from the city of Ottawa to the city of Toronto to the same address, and one of those letters contains a certain amount of money, which has been obtained by fraud—suppose the department receives information that such letters have been sent—how is it possible to ascertain which of these letters should be detained and opened? The Postmaster General must of necessity detain the whole ten and open them.

Mr. YOUNG understood that the clause was not intended to apply to special letters particularly. The idea, he thought, was to meet the case of certain persons who came over here generally from the other side of the line and advertised some false or fraudulent vocation, and by that means obtained large remittances by mail from different sections of the country for what was really a fraud. Under this clause when satisfactory evidence was adduced to prove that those persons were engaged in a fraudulent business, which they generally made known by advertisements, the Postmaster General would have the power to interfere with letters containing remittances to them. When those persons were engaged in a fraudulent business it would not matter much how many of their letters were opened, because the sooner they were detected in their improper acts the better. As regards the case of special letters, there might be a certain amount of difficulty, but it was not likely to arise.

Hon. J. H. CAMERON understood the principle object sought to be attained was to suppress enterprises of the nature of lotteries and gift enterprises, which had flooded Canada in common with the States of the Union. At one time there

was an establishment in Montreal, for the purpose of conducting an enterprise of that kind which, within a short period, received about $50,000 in Post Office Orders and bank remittances. The words used in the clause were found in the United States Post Office Act, but they were placed in connection with certain words which showed to what they applied, viz., lotteries, gift and other enterprises, &c., and when the words were so placed, no difficulty arose. As the clause was drawn the Post Office Department would be called upon to try questions between merchant and customer, and merchant and merchant, which was never contemplated. The whole difficulty would be obviated by amending the clause by adding the words appearing in that connection in the United States Act.

Hon. Mr. HOLTON asked if it was desirable that the Post Office Department should exercise any supervision whatever over the contents of the mails. He did not think they ought to exercise such control. He would therefore be very glad if the hon. Postmaster General would omit that clause from the Bill. He did not think it was capable of being amended in any way that would render it desirable to have it embodied in the law of the land.

Right Hon. Sir JOHN MACDONALD —Referring to the clause which gave the Postmaster General authority to stop letters passing through the mails on satisfactory evidence being given to him that persons were engaged in conducting any scheme for obtaining remittances through the Post Office by means of false or fraudulent pretensions—said that it might be reasonable to give such power to the Postmaster General himself. He would possess the confidence of the House and the country. At the same time it was quite impossible that he could exercise personal supervision in all parts of the Dominion. Suppose a scheme of a fraudulent character were being carried on on the Pacific coast, and letters containing money were passing from Victoria, B. C. to San Francisco. The Postmaster General could not act himself, and would have to delegate the power to the local postmasters, because it was quite apparent that the whole machinery connected with the mail between those two points could not be stopped in order that the letters might be forwarded to Ottawa. The acknowledged rule was that the Postmaster General could only delegate his authority to his deputy, but the Act would be inoperative unless the Postmaster General should be able to delegate his powers to a great number of officials, and those powers were not such as ought to be vested in others. The evidence of fraud might be satisfactory to the Postmaster General, and yet prove fallacious, and a great loss might occur owing to letters being stopped while passing through the mails, and there is no provision under which the sender could obtain any remedy. He quite understood the object which the Postmaster General had in introducing this clause into the Bill, yet he conceived it would be infinitely better that a few persons should suffer than that the public should lose confidence in the mails being safely carried. Hon. members would recollect the case of Sir JAMES GRAHAM, Postmaster General in England, who opened certain letters connected with the MAZZINI affair. The matter was inquired into by a select committee, who, however, refused to report against the action that had been taken. In the course of the evidence he believed it was proved that there were direct incentives in the correspondence to assassination. The correspondence was further connected with secret conspiracies on the continent. Yet Sir JAMES GRAHAM, although he was acting under the authority of law, never overcame the feeling which arose on account of that proceeding, and confidence in the Post Office was much weakened; and not until the most solemn assurances were given by the Government that no such case would again occur was confidence renewed in the department. He believed that never since that day had a letter been opened in its passage through the British mails. For these reasons he believed it would be infinitely better that this clause should be dropped out of the Bill rather than the public confidence should be weakened in the Post Office.

Hon. Mr. MACKENZIE observed that there were undoubtedly a great many difficulties connected with the granting of these additional powers to the Postmaster General, end therefore he would be inclined to advise his hon. friend to leave this section out.

Hon. D. A. MACDONALD said that, as far as he was concerned, he would be very glad to leave it out, as it would cause a great deal of trouble and expense to the Department. However, he had received communications from all parts of the country, asking for some protection of this kind against fraudulent schemes.

The section was struck out.

Mr. WALLACE (South Norfolk) moved, in amendment to section 22, that the postage on newspapers be as follows :— Weeklies, five cents per annum ; semi-weeklies, 10 cents ; tri-weeklies, 15 cents ; and dailies, 30 cents, and that such rates be paid at the office of delivery.

Amendment ruled out of order.

Mr. BOWELL asked, with reference to Section 36, that the words "or town" be inserted after the word "city," so as to give the Postmaster General power to extend free delivery of letters to cities if he thought proper.

Hon. D. A. MACDONALD said there were so many towns in the Dominion with a population of from 2,000 upwards, that if this change was made, the department would be flooded with applications which could not be granted. In the United States, free delivery was restricted to cities of 20,000 inhabitants, but he went further, and extended it to cities some of which had only from 12,000 to 15,000 of a population.

Mr. BOWELL said he did not propose to make it imperative on the Postmaster General to establish free delivery in towns, but only to give him the power to do so if he thought advisable. If the system produced a revenue in the cities, as the Postmaster General expected, he (Mr. BOWELL) thought it would be just as likely to produce a revenue in the large towns.

Mr. YOUNG expressed the opinion that the system of free delivery of letters was extended by the Postmaster General quite as far as was prudent. It was doubtful whether it would pay in the smaller cities ; and if power was given to the Postmaster General to extend it to towns, almost every town would be applying for free delivery, and pressure would be brought upon the Government which in many cases it would be almost impossible to resist.

Mr. BOWELL said he would have no objection to restrict the system to towns of a certain population.

Section carried.

Mr. BOWELL asked with reference to Section 51, what was the reason for the change proposed. Under the present law the Postmaster General was obliged to advertise for mail contracts in one or more of the newspapers published in the county where the contract is to be performed ; but now it was proposed to give him power to advertise in any newspaper he pleased. This change seemed to be for only one purpose, and that was to give the Postmaster General a little patronage.

Hon. D. A. MACDONALD said the object of the proposed change was to give the Postmaster General power to advertise in the paper having the largest circulation in the district, where the work was to be performed.

Mr. BOWELL said that object could better be accomplished under the present law. Under the proposed change the Postmaster General could advertise in Toronto for a contract for carrying the mails between Cornwall and Alexandria.

Hon. D. A. MACDONALD said that this clause had been inserted at the request of the Deputy Postmaster General, who had found from his long experience that it was necessary.

Mr. YOUNG observed that it was a mere question of form. The practice of the department had always been to direct in what papers letters should be advertised, and in reality the Postmaster General was not asking any more power now than he had hitherto wielded.

Hon. Mr. TUPPER said that no person objected to the Government of the day, preferring to give their patronage to newspapers supporting them, if they could do so consistently with the public interest —but that was not the point now under consideration. Under the present law the Government were compelled to consult the public interests by publishing advertisements for mail contracts in the nearest newspaper to the place where the contract had to be performed. It was now proposed to sweep away that restriction, and to give the Postmaster General power to advertise in any newspaper in the Dominion. Such a change was not neces-

sary to accomplish the object that the Postmaster General stated he had in view.

Hon. Mr. MACKENZIE said there were several advantages in the public interest to be derived from the proposed amendment. For instance, if the department wanted to advertise for a contract for carrying the mails on Lake Superior they would be required under the present law to advertise in a small sheet, seven by nine inches, published at Sault Ste. Marie, there being no other paper published nearer to the district than Owen Sound. On repeated occasions he had sent advertisements to the Toronto *Mail* simply because it was necessary in the public interest that some important advertisements should go to papers having a considerable circulation, and that they might reach a class that could not be reached otherwise; and this amendment was simply intended to give the department power in exceptional cases to advertise where the department would be best served; no doubt as a general rule the paper nearest to the locality would get the advertisement, but there might be advertisements which required to be inserted in papers having a larger circulation.

Hon. Mr. TUPPER said the present law did not restrict the Postmaster General in that respect. If he wished to advertise in other papers he could do so.

Section carried.

On the 91st. section which fixed the date when the Act should come into force at the 1st. of May next,

Mr. BOWELL said he understand the Postmaster General to say during a former discussion that the Act would not go into force till the 1st. of August. As in most instances newspapers had already made their contracts with subscribers for the year it would cause great inconvenience if the Bill was to go into operation on the 1st. of May.

The Section was amended so as to make the Act come in force on the 1st. of October next.

The Sections of the Bill having been adopted, the Committee rose and reported the Bill with amendments. Report to be received to-morrow.

BANKS AND BANKING.

The House went into Committee of the Whole on Bill to amend the Act therein mentioned on Banks and Banking; Mr. YOUNG in the Chair.

Hon. Mr. CARTWRIGHT moved the following amendment:—

1. Sec. 40 of Cap. 5 passed in the 34th. year of H. M's. reign shall be amended by the addition of the words following:—

"Nor shall the Bank, directly or indirectly, purchase or deal in any share or shares of the Capital Stock of the Bank, except where it is necessary to realize upon any such share or shares held by the Bank, as security for any pre-existing and matured debt.—Carried.

Mr. PLUMB moved that the word "matured" be struck out of the amendment.

Hon. Mr. CARTWRIGHT said it could not be done.

Hon. Mr. HOLTON said under the general law introduced under Sir FRANCIS HINCKS in 1871, the lien was limited to matured paper. There would be a manifest impropriety in allowing banks to interfere with their shareholders in selling their shares, because the shareholders' names were endorsed on their paper. It would be very impolitic. It was found under the old system that it frequently wrought hardship and annoyance to shareholders, and therefore the Banking Committee determined to limit the lien to matured paper.

Mr. PLUMB said he did not wish to interfere with the transfer of stock. He only had reference to cases of insolvency where it might be necessary for a bank to protect itself.

Sir JOHN MACDONALD said the Act afforded sufficient protection to the banks. He thought the amendment was a good one.

The Bill was reported with amendments, (which were concurred in) read a third time and passed.

VDMINISTRATION OF JUSTICE IN THE NORTH WEST TERRITORIES.

Hon. Mr. FOURNIER moved the second reading of the Bill "to amend an Act respecting the administration of justice and for the establishment of a police force in the North-West Territories."—Carried.

The House went into Committee—Mr. CASGRAIN in the chair—and reported the Bill.

The Bill was read the third time and passed.

THE PUBLIC DEBT.

Hon. Mr. CARTWRIGHT moved the second reading of the Bill "to amend the Acts respecting the Public Debt and the raising of loans authorized by Parliament." —Carried.

The House went into Committee—Mr. OLIVER in the chair—and reported the Bill.

The Bill was read the third time and passed.

DOMINION NOTES.

Hon. Mr. CARTWRIGHT moved the House into committee to consider the following Resolutions :—

1. Resolved, That it is expedient to amend the Act for the Issue of Dominion Notes by enacting that the Receiver General shall hold in specie the excess above $12,000,000.

2. Resolved, That the Receiver General shall hold 50 per cent of the amount between $9,000,000 and $12,000,000 in specie.

The committee—Mr. WILKES in the chair—considered the resolutions, which were read a first and second time and reported.

Hon. Mr. CARTWRIGHT moved the second reading of the Bill "to amend the Act regulating the issue of Dominion Notes."—Carried.

The House went into Committee—Mr. PLUMB in the chair—and reported.

The Bill was read the third time and passed.

THE IMMIGRATION ACT OF 1872.

Hon. Mr. SMITH moved the second reading of the Bill "to amend 'The Immigration Act of 1872.'" He explained that the late Minister of Immigration concluded an arrangement with the Allan, Temperley and Anchor Steamship Companies' under which, on certain conditions, the capitation tax was abolished. In order that the Government might be protected against a combination of steamship lines, the Bill proposed to give them the power of re-imposing the capitation tax, if it should become necessary.

Sir JOHN MACDONALD failed to understand how the Bill would protect the Government.

Hon. Mr. SMITH said he understood that this combination included all the chief steamship companies from Baltimore northward and including Canada. This arrangement was general and applied to all. The object of imposing this tax was to protect the Government from this combination.

Hon. Mr. TUPPER did not distinctly understand how it would strengthen the hands of the Government. He saw several very great objections to the re-imposition of this capitation tax. Canada was now bidding for immigration and one of the strongest reasons urged by our agents why emigrants should go to Canada instead of the United States was that there was no capitation tax in the Dominion while there was in the neighboring country. By re-imposing this tax it increased the cost of introducing immigrants into this country. The tax did not come out of the pockets of the steamship owners, but fell on the emigrants.

The Bill was read a second time.

At six o'clock the House rose for recess.

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AFTER RECESS.

INSPECTOR OF INSURANCE COMPANIES.

The House went into Committee to consider certain proposed resolutions providing for the appointment of an Inspector of Insurance Companies and the scale of fees to be charged under Bill 67.—Mr. WALLACE (Norfolk) in the chair. The Committee rose and reported the resolutions which were read a second time.

The Bill No. 67, to consolidate and amend the several Acts respecting Insurance, in so far as regards Fire and Inland Marine business was read a second time, and referred to the Committee on Banking and Commerce.

APPOINTMENT OF HARBOR MASTERS.

The House went into Committee to consider certain proposed resolutions for the purpose of amending the Act 37, Victoria, Cap. 34, providing for the appointment of harbor masters at certain ports. — Mr. FORBES in the chair.

Hon. Mr. MITCHELL said he did see the necessity for the proposed increase of fees, and he thought there was already sufficient burden on shipping.

Hon. Mr. SMITH said several officers had sent in their resignations on account found necessary therefore to increase them.

When the Bill came up for a second reading he proposed to make some amendments.

The committee rose and reported the resolutions, which were read a second time.

Hon. Mr. SMITH introduced a Bill based on the resolutions.—Read the first time.

SALARIES OF COUNTY COURT JUDGES.

Hon. Mr. FOURNIER introduced a Bill to provide for the salaries of County Court Judges in Nova Scotia and for other purposes.

SICK AND DISTRESSED MARINERS' FUND.

The House went into Committee of the Whole to consider certain resolutions to amend Act, 31 Vic., Cap. 64, respecting the treatment and relief of sick and distressed mariners; Mr. KIRKPATRICK in the chair.

Hon. Mr. SMITH explained that the Act provided that ship-owners instead of paying twice to this fund should pay three times each year. The present fund was insufficient to meet the expenditure. Last year the amount received was $41,500; the amount expended, $66,443. The Government did not consider this a fair charge on the revenue, and therefore increased the fees.

Mr. FORBES wished to know the reason for imposing this charge three times a year instead of twice. Would it not be better to increase the present amount and collect it twice in the year?

Hon. Mr. SMITH said by adopting this mode the tax was placed mainly upon large ship-owners—steamships for instance. If the amount were increased and the collections made only twice in the year, the tax would fall on sailing vessels, which were not so well able to meet it.

Hon. Mr. MITCHELL protested against this legislation which had a tendency to increase the charges on shipping. He was quite surprised to find this fund falling behind. His recollection of it was that it about met the expenditure. Our tonnage could not afford to sustain any heavier charges than at present, if it was to compete successfully with the shipping of other countries. The Government should continue the policy which the late Admnisitration inaugurated and which built up the shipping interest of Canada. Instead of increasing the charges on shipping the late Government had diminished them. While he would not oppose the resolution, he would look into the matter and hold himself free to oppose the Bill when it came before the House.

Mr. JONES (Halifax) reminded the hon. member for Northumberland that the policy of the late Government was not on all occasions to dimish the charges on shipping. In this very fund and in the appointment of harbor masters they had increased the tax on ship-owners.

Hon. Mr. SMITH said his sympathies were entirely with the shipping interest, but it was not the only interest in this Dominion. He saw no reason why it should not sustain this fund. That it was necessary would be seen from the fact that during the last three years the expenditure had increased very considerably over the receipts. In 1872 the receipts were $34,911; expenditures, $38,947. In 1873 receipts, $37,136; expenditures, $41,016. In 1874, receipts, $41,500; expenditures, $66,443. It would be seen that the expenditure was going on progressively, and he did not think this House would say this fund should be maintained out of the revenue of the country. If it was to be sustained at all, it was evident that the fees must be increased.

Hon. Mr. MITCHELL said this was a proof that the fund was not properly managed by the present Government. The hon. Minister of Marine had explained that by collecting the revenue three times a year instead of twice it would bear less heavily on sailing ships than on steamers. The hon. gentleman owned sailings vessels but did not own steamers, and it would, no doubt, suit him very well. But he (Mr. MITCHELL) owned steamers, and would prefer to see these fees collected twice in the year. He could not understand how there was such a deficit in the fund. During the seven years while he managed it, the receipts exceed the expenditures every year except the last, when there was a slight deficit, but he did not ask to have the charge increased to meet that deficiency. The hon. Minister of Marine ought to give some explanation to this House why the expenditures had so largely increased.

Hon. Mr. SMITH called attention to the fact that sailing vessels did not average more than two visits to a port yearly.

With respect to the increased expenditure for the relief of sick mariners, that was a matter for which he could not be held responsible, because there had been an additional number of patients. If the hon. member for Northumberland could satisfy the House that no necessity existed for additional taxation, it would not be imposed.

Hon. Mr. TUPPER concurred in the remark that the hon. Minister of Marine was not responsible for an increase in the number of invalids; but his statistics proved that the increase was exceptional, and being exceptional, did not warrant the severe remedial measures proposed. If it were true, as the hon. Minister had declared, that the shipping interests should not be protected more than any other interest, why did the Province of Canada when it had the greatest difficulty in making the receipts meet the expenditure, resolve that everything which entered into the construction of fitting up ships should be entered free of duty, while other goods were charged from 20 to 25 per cent. duty. The policy of the late Government was that of fostering and protecting our shipping interests. but the present Administration reversed that policy, and had imposed a large amount of taxation on shipping. and, in accordance with that policy the Government must go a step further and charge ships with all dues necessary for the maintenance of the light-house service. If ever there was a time when the Government should have avoided entering upon this policy it was at the present time, because the shipping trade was depressed, and the changed value of freights all over the world rendered ship-owners less able to bear the increased charges. The ad-do tion by the United States of a policy similar to that entered upon by the present Government had resulted in American shipping being almost driven from the seas, and the Senate and Congress in order to revive their shipping trade had been engaged upon and arranging business and other schemes for the encouragement of the shipping interest. In view of the leading position which Canada occupies in the carrying trade of the world, it behooved the Government to carefully consider what means could be adopted to promote and foster our shipping interests —a policy which had been followed during many years—rather than to seek to re-impose duties which had long since been removed.

Hon. Mr. SMITH said he was prepared to answer the observations of his hon. friend when the Bill came up for the second reading, which was a more fitting time. He might say, however, that so far from this measure injuring the shipping interest it would be a benefit to it.

Mr. FORBES observed that American fishermen sick or distressed were thrown upon our shores, and we were bound to take care of them. He thought, therefore, American shipping should be made to contribute their share.

Hon. Mr. SMITH said sailors paid taxes for this purpose, and we were obliged to take care of sick and distressed seamen left upon our shores no matter where they came from.

Sir JOHN A. MACDONALD said the proper time for discussing all the details of this measure was when the House was in committee, for the very object of going into committee was that there might be the fullest discussion and interchange of opinion.

Hon. Mr. MACKENZIE said even the increased fees proposed could not meet the expenditure of maintenance, which last year was $66,000 while the revenue was only $41,000. In addition to this large sums were voted yearly for the building of hospitals for sick and distressed seamen.

Hon. Mr. MITCHELL stated that for the three years under the late Government the expenditure was only $31,000 and for two years the expenditure was very little over the revenue. Within the last year the expenditure had gone up to $66,000. Some explanation should be given for this increased expenditure.

Hon. Mr. SMITH said he was not responsible for the increase, as the law provided for the maintenance of these mariners. If his hon. friend desired it, he could give him a detailed statement of all the expenditure, or he could see it in his office.

The Committee rose and reported the resolutions which were read a second time.

THE INTERPRETATION ACT.

The Bill to amend "The Interpretation Act" as respects the printing and distri-

bution of the Statutes, and the territorial application of Acts amending previous Acts, was read a second time. The House went into Committee on the Bill (Mr. FLESHER in the chair), and reported it with certain amendments, which were read a first and second time.

The Bill was then read a third time and passed.

DEPARTMENT OF SECRETARY OF STATE.

The Bill to amend the Act providing for the organization of the Department of the Secretary of State of Canada, was read a second time. The House went into Committee on the Bill, (Mr. BIGGAR in the chair). The Bill was reported without amendment, read a third time and passed.

SUPERVISOR OF CULLER'S OFFICE.

The House went into Commmittee on the Whole on certain resolutions relative to the Supervisor of Culler's office ; Mr. PICKARD in the chair.

Mr. McDOUGALL (Renfrew) asked for explanations as to the nature of this measure. Last year a special committee was appointed to consider this question, but their report was not adopted for the reason that the matter was one which should be left in the hands of the Government. He wished to know what was their intention.

Hon. Mr. GEOFFRION said the object of the measure was to organize the office on the same principle as the Excise, to be a part of the Inland Revenue Department. At present it was known the cullers were organized something like the pilots. They were put on a rotation list, and parties requiring their services were obliged to take the first on the list. Under the proposed system the office would be organized on the same principle as the Excise Department.

Mr. CARON asked if the charges on timber would be increased by this question.

Hon. Mr. GEOFFRION replied that the Government did not intend to increase the charges. On the contrary they expected to be able to diminish them, because the number of cullers would be reduced, and those who were retained would be paid stated salaries as other officers of the department.

Mr. CARON asked if the Government intend to superanuate or provide for cullers who have been for a number of years in the service, or whether the number was to be diminished without any provision being made for those who had been in the service.

Hon. Mr. GEOFFRION said the Bill about to be introduced would supply the information asked for.

The resolution was reported and concurred in, and a Bill based on it was introduced and read a first time.

SUPPLY.

Item 128, for the construction of light-houses, was concurred in.

On item 69, for construction of snow sheds, rolling stock, offices, &c., on the Intercolonial railway, $915,000,

Hon. Mr. MITCHELL asked under what authority Mr. BRYDGES had purchased a quantity of steel rails for the Intercolonial railway, and after having done so, consented to take a quantity of damaged rails at £1 less. He (Mr. MITCHELL) was informed on good authority that on the arrival of these rails, on being thrown off the cars, about one-half or one-third of them broke. He admitted that this occurred under the late Administration, but he wished to know whether there was any authority for it.

Hon. Mr. MACKENZIE said notice should have been given of this inquiry. He knew nothing whatever of the circumstance.

Mr. WOOD was surprised at the statement that steel rails would break when thrown from a car. Where did the hon. gentleman get his information ? He (Mr. WOOD) was satisfied that no rails imported into this country would break from merely being thrown from a car.

Mr. DOMVILLE said he had been a personal witness to the fact of steel rails breaking. The Premier would only have to make inquiries in New Brunswick to learn that seven or eight rails broke every day on the Government railroad. Many of the rails were short in length, and on inquiring the cause of this he was informed that they were for sidings and curves.

Hon. Mr. MACKENZIE said the hon. member could move for any information he wanted. These loose statements concerning what had occurred under the hon. gentleman's own administration were to say the least extraordinary. He (Mr.

MACKENZIE) could hardly conceive it possible that a fair narration of the circumstances had been given. All that he knew was that the late Government had called for tenders for 40,000 tons of steel rails and that they were delivered. That was before the present Government came into power, and he knew nothing further on the subject. The hon. member should put a motion on the paper if he wanted information.

Hon. Mr. MITCHELL said he would do so, but, as it was late in the session, he hoped the information would be furnished without the motion.

Hon. Mr. MACKENZIE—I will furnish every possible information that the hon. gentleman wants.

The item was concurred in.

Item 70 was concurred in without discussion.

On item 71, for increased accommodation, Intercolonial Railway, at St. John, N. B., $200,000,

Mr. DOMVILLE wished to know if it was intended to purchase the wharf at deep water which the Premier had examined personally and of which he had expressed anything but a favorable opinion.

Hon. Mr. MACKENZIE said he was not in a position to reply to the question at present. He had a telegram from the Mayor of St. John to say that a communication was on its way from that city. He would find some opportunity of making the House aware of its contents as soon as possible.

The item was concurred in.

Item 73 was concurred in without discussion.

On item 74, St. Lawrence Canals, $1,000,000,

Mr. LANTHIER asked if the Government had arrived at any decision in the selection of the side of the river on which the canal at Beauharnois was to be located, or if the Premier would wait until Mr. PAGE made his report, before coming to any conclusion.

Hon. Mr. MACKENZIE said the Government had not decided as to whether the existing canal should be enlarged, or a new one should be built on the north shore. As the hon. gentleman knew, he (Mr. MACKENZIE) was always an advocate of the latter plan, but as it would cost something like $1,000,000 more to build the new canal than to improve the old one, the Government would have to consider the question very carefully before coming to a decision.

Mr. LANTHIER—Have the Government prepared any estimate of the cost of constructing the canal on the north shore?

Hon. Mr. MACKENZIE—Yes, but it is still a matter of departmental confidential statements.

Item concurred in.

On the item of $2,000,000 for Welland Canal,

Hon. Mr. MACKENZIE, in reply to Mr. MCCALLUM, said the entire estimated expenditure for deepening the navigation to 14 feet at Port Colborne harbor was about $300,000, and for deepening and enlarging the canal, from the junction up to Lake Erie, to obtain the same depth of water, would probably cost two millions. In reply to the hon. member for Monck, who was particularly interested in obtaining information as to the probability of using Port Maitland as the terminus on Lake Erie, he might state that the distance was ten miles further to Port Maitland than to Port Colborne, and every one knew that a heavy expenditure would be incurred by those ten miles of additional canal navigation. Besides the cost of deepening and enlarging the channel, from the junction to Port Maitland, so as to enable vessels drawing 12 feet to reach the harbor, would be considerably over twice that which would be required to reach Port Colborne from the junction, or, in other words, a little over four millions. To deepen the harbor at Port Maitland would cost about $100,000, and to obtain 14 feet of water in the canal would cost three quarters of a million additional; or, altogether, about five millions, toobtain a depth of 14 feet from the junction to Port Maitland, including the harbor. In other words, it would cost two millions more to obtain the accommodation at Port Maitland than it would cost to obtain it at Port Colborne. He understood and quite appreciated the necessity of obtaining 14 feet of water at the earliest practicable moment, but after careful consideration of the whole question he had come to the conclusion that it would be wise to obtain 12 feet with the Lake Erie water introduced in the meantime: afterwards as the necessities of commerce seemed fairly to demand it we could

gradually proceed with the work of additional deepening until we obtained 14 feet. The further expenditure for that purpose would not be a very serious one. There was just another point that he might refer to, which was this. The canal was carried over the River Welland by a stone aqueduct, and to obtain even 12 feet of water necessitated that a small portion of the crown of the arch of this aqueduct should be removed and the work strengthened with iron. To obtain 14 feet of water would necessitate an entirely new structure. Every argument pointed to the necessity of deepening the navigation to 12 feet now, and to the attainment, at a future date, of that object which many engaged in the shipping interest had in view—namely, a 14 foot navigation all over the canal. In the meantime he had no doubt the canal when deepened to 12 feet would meet the demands of trade as they existed.

Mr. McCALLUM disputed the accuracy of the hon. First Minister's statement in respect to the difference between the expenditure necessary to obtain similar results at Port Colborne and Port Maitland. It had been found impossible to remove the rocks in Port Colborne harbor, and it was now proposed to construct a breakwater to the eastward of Port Colborne, in order to form an outside harbor, where vessels could obtain shelter in storms, but when $200,000 had been expended on that work the harbor would not afford the proposed shelter. The hon. First Minister had forgotten to inform the House that the distance was nine miles shorter from east to west to Port Maitland than to Port Colborne. The Americans were deepening the harbors of Buffalo, Toledo, Chicago, Milwaukee and the St. Clair Flats, and also the Erie Canal, and if we wish to compete with them we must enlarge the Welland Canal to fourteen feet; and it could be done now for fifty per cent. less cost than it could be five years hence.

Mr. KIRKPATRICK said the country had already expended eight and a half millions on the Welland Canal, and were now spending about eight millions more on it, and it was highly important to consider whether this large expenditure was sufficent to obtain the object we desired; namely, to attract the carrying trade of the west down the St. Lawrence. The Welland Canal was now being enlarged for the third time. At first it was only large enough for vessels drawing eight and a half feet of water, which was sufficient for the vessels then navigating the upper lakes. Subsequently these vessels were increased in size, because the larger the vessels the cheaper the freight, and in 1855 it became necessary to increase the depth of the Welland Canal. Subsequently it was increased to ten and a half feet, and now we were going to spend the enormous sum of eight millions to increase it to twelve feet. Still it was evident that this would not be sufficient to accomodate the larger vessels now navigating the upper lakes, and so long as we had to use smaller vessels on our route Buffalo would have the advantage of us, for as, he said before, the larger the vessel the cheaper the freight. The Americans had deepened the St. Clair Flats and the Ste. Marie canal to fourteen feet, but it was believed that was the outside limit they could reach, and therefore if we enlarged the Welland Canal to fourteen feet, we would be in a position to compete with them for the future. Surely in making the large expenditure we were making to secure the western trade we should not stop just before coming within the reach of it, but should go a little further and secure it. He was very much surprised at the statement of the First Minister that it would cost an additional five millions to deepen the Welland Canal to fourteen feet. The Premier acknowledged virtually that this would have to be done in the future, and surely it would cost less to do it now when the work was going on. It had been stated that the harbors of Lake Ontario were not large enough to justify the deepening of the Welland Canal to fourteen feet. From that statement he dissented, for we had harbors on Lake Ontario sufficiently deep.

Hon. Mr. MACKENZIE—Where were they?

Mr. KIRKPATRICK—Kingston.

Hon. Mr. MACKENZIE—We have had to incur an expenditure of $36,000 to get 10 or 12 feet there.

Mr. KIRKPATRICK said there was forty feet of water in some parts of Kingston harbor, and all that was needed was a protection at those parts. There were only three shoals in the harbor and work

was now in progress upon these shoals and at an expenditure of $10,000 vessels could pass over them drawing 13 feet.

Hon. Mr. MACKENZIE—The hon. gentleman has not examined the estimates.

Mr. KIRKPATRICK said he had looked at the charts of the harbor. He found there was plenty of water for vessels drawing 14 feet, and that it was necessary it should be of that depth, because the large vessels could lighten or discharge at Kingston, and if they wished to call at other ports for return freights they would not then probably be drawing such a depth of water. However, he found in an appendix to the Canal Commissioners' report a statement of the depth the harbors of Lake Ontario were capable of being made, which was as follows: Kingston, 14 feet; Port Hope, 14 feet; Newcastle, 14 feet; Port Darlington, 14 feet; Toronto, west entrance, 14 feet; Hamilton, 14 feet; Niagara, 20 feet. Therefore it was clear that if it was desirable to deepen the Welland Canal to fourteen feet it need be no objection that the harbors of Lake Ontario could not afford sufficient accommodation. If we could once get the trade of the West into Lake Ontario, there was no doubt it would go down the St. Lawrence and make Montreal a still greater city than it was. With respect to the necessity of deepening the Welland Canal to fourteen feet he begged to quote the opinion of one of our most distinguished engineers, Mr. WALTER SHANLY, as stated in a letter written by that gentleman in August last. He said:

"The object of the Welland Canal is or "should be to do away with, so to speak, the "barrier dividing Lake Ontario from the lake "above, by making the canal of such ample "proportions as will pass, with the least inter- "ruption possible, the largest vessels employed "in the carrying of grain and flour. Chicago "harbor, formerly adapted to vessels of ten "feet draught only, has been improved to "fourteen feet of depth, and with any less "water on its lock sills the Welland Canal will "not properly accomplish the object indicated "above."

He would also, with the permission of the House, cite the opinions of various Boards of Trade which had given attention to the subject. A committee of the Oswego Board of Trade reported as follows:—

"This route now draws more heavily year by year upon the business both of Buffalo and Oswego, and has proved by the experience of the last two years, that grain destined to Liverpool, can be carried cheaper by that, than by any other route, and this too with the disadvantage of being obliged to use vessels carrying 18,000 bushels through the Welland Canal, against those carrying from 30,000 to 50,000 by the way of Buffalo.

"How greatly this advantage will be increased when the enlargement of the Welland Canal is completed, will be readily understood. Unless our Government, adopting the wise policy of our provincial neighbors, shall make corresponding improvemente in our routes of transportation, we shall see our foreign grain export finding its way to market over foreign territory, and in foreign bottoms, enriching our commercial rivals at our expense."

This statement should make us consider well whether the expenditure we were now making was sufficient to attain the object we desired. The Dominion Board of Trade in a recent report used this language:—

"The Executive Council are decidedly of opinion, that uniformity of dimensions in the Welland, St. Lawrence and Lachine Canals, is of paramount importance—that the depth of water (especially in the Welland Canal) should be equal to passing the largest vessels navigating Lake Michigan."

The answers to the inquiry of the Canal Commission as to what extent the Welland Canal should be deepened, were to the same effect. The Toronto Board of Trade replied that it should be deepened to 14 feet; the Montreal Corn Exchange that it should be made of a depth to admit the largest vessels used on the upper lakes; the Oswego Board of Trade 14 feet; the Windsor Board of Trade 14 feet; Milwaukee Chamber of Commerce, 15 feet; Stratford Board of Trade, to admit the largest vessels used on the upper lakes; Chicago Board of Trade 14 feet; and Detroit Board 15 to 16 feet. F. S. HALCOMB replied: "The "Americans are adopting 14 feet as the "standard over St. Clair Flats and in "Sault Ste. Marie canal. This would "seem to indicate what policy we should "pursue to control the Western Trade." And Mr. PAGE in his report of 1872 stated:—"No stronger proof of a full belief in these statements can be found than in the arguments of the President of the Erie Canal who constantly affirmed that the western trade should by no means be permitted to descend into Lake Ontario if it were possible to avoid it. They concluded with a rare foresight that once on that level it would be likely to find its way through the St. Lawrence to the

seaboard, and therefore urged that no pains or expense should be spared to establish a line of navigation direct from Lake Erie to the Hudson River." The western trade was what was wanted, and if it could be secured by a moderate expenditure he thought the present was the best time to make an effort in that direction. If the canal was enlarged to a capacity of 14 feet just now, as had been well put by the hon. member for Monck, it would be a saving of 50 per cent as compared with the expenditure which would be incurred by the enlargement a few years hence. Procrastination, he hoped, would not be one of the faults of the present Administration, and he trusted the Minister of Public Works would grapple with this subject and deal with it in a broad and liberal spirit. In order to take the sense of the House on the subject, he moved that the following words be added to the resolution :—"And that this House, deeming the enlargement of the Welland Canal, so as to pass vessels drawing 14 feet of water, to be of national importance, and calculated to greatly enhance the benefits to be derived by the country from its public works, desires to record its opinion that this enlargement should be made, provided the same can be executed at a reasonable cost."

Hon. Mr. CARTWRIGHT said the resolution was out of order.

Mr. KIRKPATRICK desired to call attention to the fact that the resolution did not propose to appropriate any part of the public revenue to any purpose not recommended by the message from the GOVERNOR GENERAL. He reminded the House that the other day a resolution was proposed by his hon. friend from Chateauguay and carried, declaring in effect that assistance should be given to enable Canadians to return to Canada, and that motion was not ruled out of order.

Rt. Hon. Sir JOHN MACDONALD said the motion of his hon. friend was not in order, and he advised him to let it stand as a notice of motion. He could then move it in the form of a special resolution to the effect that it was the opinion of the House that the best interests of the country would be served by the enlargement of the canal to a capacity of 14 feet.

Mr. NORRIS said this question was one of national importance—indeed one of the most important that could possibly engage the attention of the House. He feared if we did not take steps soon to lay the foundations of such a canal as he felt certain the trade of this country would require in the course of time that we should be sorry for it. He believed that no hon. member had a better or more practical idea of what was required than the Minister of Public Works, and he would ask the hon. gentleman to look back to the last 25 or 30 years and consider what our trade was then as compared with what it is now. He (Mr. NORRIS) was convinced that the time would come when we would require to increase the capacity of our artificial channels to the ocean if we intended that the means of communicating with the ocean should be through our territory; and there was every reason to believe that our shipping trade would increase in the future in the same ratio that it had done for the last twenty-five or thirty years. He had placed in the hands of every hon. member, within the last few days, a carefully prepared report by the Engineer of Public Works Department, a gentleman of whose professional skill it was unnecessary to speak, and in whose judgment he was certain every one had the most unbounded confidence. That gentlemen had given in that report a better idea of what we would be likely to require than any other report that he (Mr. NORRIS) had seen on the subject. The report stated:—

"This extensive undertaking was at the time considered by many as chimerical, with the means then at command; nevertheless, the perseverance of its promoters, and those favorable to it, eventually succeeded in overcoming all opposition, so that the works of the first Erie Canal were commenced in 1817, and the line opened throughout in 1825. The predictions of the most sanguine advocates of the scheme were, immediately on the completion of the works, found to be more than realized. An extensive, productive, and healthy region was opened for settlement at a time when many of the cities, towns and lands in Europe were becoming over-crowded, so that a tide of immigration, without a parallel in history, flowed rapidly into this new country. This vast territory, which, with

in the past half century was a wilderness, now raises an annual grain crop of a thousand millions of bushels, besides yielding such quantities of other agricultural products as supply the wants of its own people, (numbering nearly one third the population of the United States), is now pressing to be relieved of an enormous tonnage of surplus food. Still the line of settlement is yet a long way from the western boundary of the fertile region, and it is stated on good authority that even in that part of it which furnishes the principle supply, there are not yet more than one-fifth of the available lands under cultivation. The extensive and equally valuable possessions in Manitoba and the West, which now form part of the Dominion of Canada, when they are sufficiently developed, as they will undoubtedly be ere long, together with those above mentioned, render it extremely difficult to conceive how adequate means can be provided for the cheap transport of the masses of vegetable and animal food that must find their way to Eastern markets and European countries."

There were two great channels to the sea, and it was a question by which of them the produce of the North-West was to be transported. As Mr. PAGE remarked further on in his report, that trade must go either by the St. Lawrence or Mississippi. He showed conclusively that unless we made an attempt to take that produce through our own channels, unless we laid the foundation of our canals so that we could meet the increasing demands of traffic, the trade would immediately go by the Mississippi. It would be evident to this House when they considered that for the last week petitions had been poured in upon it—petitions which he was sorry to say could not be received—praying that this canal might be made of the dimensions advocated by the hon. member for Frontenac, that the country was really agitated on the question. These petitions came from men who knew the present requirements of trade, and were likely to possess the best possible idea of its future progress, and they appeared to be unanimous that twelve feet of water would very soon be quite insufficient. He hoped that the Minister of Public Works would at least lay the foundations of the canal in such a manner that if in future it were found necessary to deepen it to fourteen feet the work could be executed at a comparatively small expenditure. There were means of constructing a canal on the twelve feet principle, which would facilitate its enlargement. If the country was not in a position at present to furnish the means for deepening the canal to fourteen feet, it would be advisable at least to do everything which would tend to reduce the cost of making that depth in the future. Sometimes we could form a better opinion of the value of a work of this kind when we examined the views held by other parties in relation to it; and he would, therefore, quote a passage from the report of the Chicago Board of Trade on the subject of cheap transportation, in which the Welland Canal was referred to in the following terms:—"In the Western States but little interest is taken in the question of the ratification or rejection of the proposition; it fails to secure to our people any advantages of moment in the question of transportation, not already in process of being carried forward by the Dominion Government without reference to its provisions. Had the treaty required, on the part of the Dominion Government, a speedy enlargement of the Welland Canal to fourteen feet depth of water and corresponding area of locks, the West could have well afforded to grant all the concessions called for by other provisions of the proposed compact. Without this feature, but few seem to care as to its fate. In Canada, a violent opposition has been developed to it, and even in England able statesmen are arrayed against it. It seems altogether probable that the opposition of some, and the indifference of others, will finally result in its entire rejection. It is to be hoped, however, that in any case the Dominion Government will see it so much to the interest of their people to enlarge the Welland Canal to the requirements of the trade of the lakes, that irrespective of treaty stipulations the work will be pressed to a speedy conclusion. With a depth of only twelve feet, as proposed under the present system of enlargement, the work, owing to the enlarged class of vessels now in use on the upper lakes, will stand in practically the same relations to the trade as the old canal has for the past ten years—navigable only for vessels that are obliged to compete for a business at a decided disadvantage." These were plain words, and showed

what value the trade of Chicago placed upon fourteen feet instead of twelve feet of water in the Welland Canal. The hon. member for Frontenac had shown very plainly what the Americans were doing to keep the trade within their own border, and had pretty clearly indicated what it was our duty to do in order to retain our fair share of the trade. Calculations had been made by gentlemen who understood these matters, that vessels of the same size could carry through locks of fourteen feet of water 16,000 bushels more than they could carry through locks of twelve feet. For example, a vessel carrying 70,000 bushels of grain could pass through locks fourteen feet deep without breaking bulk, whereas it would be necessary to reduce the cargo to forty or fifty thousand bushels if the canal were only twelve feet deep, which was a reduction of 20 per cent., which would make a very great difference in a year's transactions of a single steamer. He was sure that if the Minister of Public Works would take all these matters into consideration, he would see that it was in the interests of the country that our artificial channels should be constructed so as to carry the largest vessels that could navigate the upper lakes.

Mr. PLUMB said that, although not a practical man, the fact that his constituency was in the vicinity of this great work made him take considerable interest in the question before the House. If we desired to control the trade of the upper lakes, we must provide canal accommodation adequate to its requirements. If the canal were of 14 feet capacity, it would permit the largest vessels navigating the upper lakes to pass without breaking bulk, and would virtually give us control of that traffic. In the meantime we were struggling to do that, and if our efforts were to be effective, some means such as those suggested must be taken, not only to enlarge the Welland Canal, but to increase the capacity of the St. Lawrence Canals. For the present, however, he thought we ought to be content with some proposition for constructing the locks in such a way as to make the expense of enlarging them at a future time to greater capacity, if that were found necessary, as small as possible. This view of the matter was strongly pressed upon Parliament by the Board of Trade and by commercial men generally, and the proper time to prepare for the contingency was when the canals were in course of being built. The lake trade had been growing very rapidly, and the tendency at the same time was to increase the tonnage of the schooners navigating the Lakes. There was an immense competition for this trade on the part of railways, and he also conceived that the Mississippi route was a rival not to be despised, either by the railways or the Welland and St. Lawrence canals. Seeing that such a large amount of money was going to be spent upon the work, he thought it was deserving of consideration whether this additional sum could not be also expended with great advantage, and he ventured to join his hon. friends from Lincoln and Monck in the policy they advocated.

Mr. WOOD said it was refreshing to notice the interest taken in the Welland Canal by the hon. member for Frontenac while the canal at his door was neglected. If the Welland canal could be enlarged as suggested at a moderate expense, he (Mr. WOOD) would have no objection to it, but he contended that unless the St. Lawrence canals were deepened to the same standard the expenditure would be of no advantage to this country. Indeed, there were many who believed that to deepen the Welland canal to 14 feet would simply be doing that which would build up the trade of Oswego as much as it would that of Kingston. He held that the Government were not pushing the improvement of the St. Lawrence canals as rapidly as they ought to. It was of importance to Ontario that they should be made of the greatest possible depth at the earliest moment. The Minister of Public Works said that not more than 12 feet of water could be obtained in these canals and he (Mr. WOOD) believed that statement was correct. He would be glad, however, to accept that improvement if it could be had soon. At present more goods could be carried through the Welland Canal than through the St. Lawrence Canal.

Hon. Mr. MACKENZIE—No, no !

Mr. WOOD said that even at the present time vessels from the West had to lighten in order to pass through the canals to Montreal. It was the interest of Ontario that those vessels should not have to break bulk at Kingston, and that vessels could pass right through from Lake

Ontario and return without in either case breaking bulk. The hon. member for Frontenac had quoted the recommendations of various Boards of Trade all over the country, but forgot the Hamilton Board of Trade which recommended a uniform depth of 12 feet of water for the canals. The people of Kingston and Montreal were opposed to the deepening of the St. Lawrence canals because they wanted to have vessels break bulk at these two points.

Mr. McGREGOR heartily agreed with the remarks of hon. gentlemen who had advocated the widening and deepening of Welland Canal. It must be remembered that the trade of the country was growing rapidly. There were now 681 vessels on the lakes drawing from twelve to fourteen feet. The difference between twelve and fourteen was about one-fourth of the cost —that was to say, the saving was about one-fourth. When it paid to carry grain from Chicago to Kingston at eight cents it could be carried in vessels drawing fourteen feet of water, for six cents with the same profit. He was anxious to press upon the Government the necessity of lowering the lock bottoms so that the canal could be built at any time. It was not really necessary there should be fourteen feet the coming season, or even the season following, but the canal should be used for all purposes about the year 1878, when the work should be completed. With fourteen feet, the greater part of the carrying trade would be taken from Buffalo and placed at Kingston. Hoping the lock bottoms would be deepened to fourteen feet, he left the matter in the hands of the Government.

Mr. McCALLUM contended that if we could divert the trade from Buffalo to Oswego, it would pay six per cent on the outlay on the Welland Canal. A vessel carrying 16,000 bushels from Chicago or Milwaukee could afford to lighter the grain from Kingston to Montreal. That was the opinion of practical ship-owners. As to harbors with Kingston and Port Dalhousie having fifteen or sixteen feet of water, no more were needed.

The item was concurred in.

On item 76, for St. Anne's Lock, $200,000,

Mr. ROCHESTER asked if the contract was going on and when the Government expected the work would be finished.

Hon. Mr. MACKENZIE—The contract is to be completed by the 1st September, 1875.

Mr. ROCHESTER said he desired information on this subject, because the trade of this section wished to have some idea when the work would be completed.

Hon. Mr. MACKENZIE said the sum of $36,900 had been expended up to Dec. 31st; the contract was $103,000.

The item was concurred in.

On item 77, Carillon and Chute a Blondeau, $450,000.

Mr. ROCHESTER asked for information as to the progress of this work.

Hon. Mr. MACKENZIE said it was all under contract on the lower locks; the masonry had just been commenced; the retaining wall was pretty well on; the foundation of the dam was well laid; the expenditure, up to the 31st December, was $126,000; the amount of the contract was about $570,000. The work was a very difficult one, and it was hard to say whether the contractors would be able to keep the terms of their contract. It was not likely they would be. The work was to be finished by the 1st December next, according to contract; the locks might be finished then, but he did not think the canal would be completed.

The item was concurred in.

Item 78 was concurred in without discussion.

On item 79, for Rideau Canal, $8,000,

Mr. ROCHESTER asked what this appropriation was for.

Hon. Mr. MACKENZIE—For repairs that may be required during the season.

Mr. ROCHESTER said he had been looking for a grant to assist in building a bridge over the canal at Wellington Village, North Gower. Petitions had been sent to the Government for some years past to try and get this bridge. Though the revenue of the canal did not cover working expenses it could hardly be called a bad investment. When the Imperial Government handed over the canal to Canada they also gave some valuable Ordnance lands. He thought the Government ought to construct this bridge. The dam near the village had raised the water several feet and drowned lands in that vicinity. Large quantities of grain were shipped from that country, and there was no way to get it out except

by scows. Late in the fall this was attended with great danger, and lives were frequently lost in crossing the river. He hoped the Government would see their way clear to building this bridge.

Hon. Mr. MACKENZIE said there was no obligation resting on the Dominion Government to build at that place; and when the Government expended over $50,000 to obtain a revenue of $9,000, that was a sufficient reason why they should not expend there any money which they were not bound to expend. The Government had not the slightest intention of building a bridge at Wellington Village. If the County Council or local authorities resolved to build a bridge at that place and application was made for appropportion of the expenditure such as the Government would be justified in submitting as a vote to the House as a fair proposition, they would consider the question; but no such proposition had yet been made to the Government, and they had no inclination to take the initiative.

The item was concurred in.

Items 80, 81, 82, 84, 85, 86, and 87, were concurred in without discussion.

On item 88, $370,000 for public buildings, Ontario,

Mr. PATERSON asked on what principle the Government proceeded in locating the public buildings. If population was the test, the Government had erected buildings in towns which had far less population than many places which were entirely devoid of them. If the amount of revenue derived was the guide, towns were ignored which contributed a much larger revenue than other towns which had public buildings, such as Custom Houses and Post Offices.

Hon. Mr. MACKENZIE thought the question a pertinent one. He himself raised the question when in Opposition upon the occasion of a vote being asked to build Custom Houses at Three Rivers, Chatham and Pictou. At Pictou the Custom House collections were one-half, at Chatham much less than one-half, and at Three Rivers one-twelfth of the amount collected at Brantford. New Custom Houses had been built, or were in course of construction, at those ports. The only principle which could guide a Government in erecting public buildings was the necessity for them, and, although a town might not have a very large population, it might have a large Custom House business. An example of this was found in the case of Windsor, which required four times the accommodation necessary for Brantford. At Pictou there was a very considerable shipping trade that required more accommodation than an inland town. It was his intention during the recess to consider some general plan under which the Government would be bound to proceed in relation to the erection of buildings for the public service. It might possibly be desirable in places that had a population of from 7,000 to 10,000 to have a building containing accommodation for the customs, excise and postal services; or it might be desirable simply to make arrangements with private individuals to get a building erected which would accommodate those branches of the public service; in all cases, looking chiefly to the public interests and not to mere local benefit, as the acting principle in the case. The country had obtained a conglomerate building at Chatham, at a cost of from $10,000 or $12,000, and some thousands of dollars were expended upon it afterwards; but they now found that the business could be transacted at an annual saving of from $500 or $600 by not entering the building. It was a serious question with the Government whether they would occupy the building or dispose of it to the highest bidder. He could, therefore, only say that the Government would consider some general plan upon which votes for such purposes would be asked for in future.

Hon. Mr. MITCHELL said that the building erected at Chatham, Miramichi, for the purpose of a Custom House and Post Office, at an expense of $10,000 was eminently suited for the objects for which it was designed, and was worth every dollar expended upon it and was moreover admirably suited to the conveniences of the people engaged in trade and commerce. The place used for a Custom House was a disgrace to the Government, and the Post Office was accommodated in a paltry little store, although Chatham was the second largest importing town in New Brunswick.

The item was concurred in; as were also items 90 to 100 inclusive.

Hon. Mr. TUPPER wished to remind the Minister of Public Works of the report of an engineer sent to examine Advocate

harbor, and he hoped the hon. gentleman would see his way clear to placing a sum in the supplementary estimates for that harbor.

Items 101 to 103 were concurred in.

On item 104, dredge vessels, $44,000 in reply to Hon. Mr. TUPPER,

Hon. Mr. MACKENZIE said the new dredge on the Clyde had been ready for some six weeks, but it was thought advisable not to bring it across the Atlantic in the winter. It was expected it would leave in the course of a week or ten days. The other dredges owned by the Government were :—The "Evans," the dredge on the St. John river, the dredge at Prince Edward Island, the "Canada" at present at Bathurst, and the dredge on the river here.

Hon. Mr. MITCHELL hoped the Government would countermand the order for the dredge to leave the Clyde in ten days, as he considered it would not be safe for it to leave before the 8th or 10th of April.

Hon. Mr. MACKENZIE—The dredge will leave under the direction and advice of the people on the other side, who, perhaps, know more about that matter than either the hon. gentleman or myself.

The item was concurred in ; also items 105 to 108 inclusive, and items 154 to 156 inclusive.

On item 168, salaries and expenses of the Council for the North-West territories, $33,800,

Hon. Mr. TUPPER asked for explanations of the large increase.

Hon. Mr. MACKENZIE said he hoped to introduce, to-morrow or next day, the bill promised in the Governor General's Speech, to provide for the government of the North-West Territories. That Bill would provide for a Lieut. Governor to reside within these territories, and also for three stipendiary magistrates, who would have the power of County Judges. The increase in this vote was to provide for the salaries of those officials, and other expenses connected with the government of those territories.

Hon. Mr. TUPPER asked that the item be allowed to stand over till the Bill was introduced.—Agreed to.

Item 179 was concurred in, and the House adjourned at 12 o'clock.

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HOUSE OF COMMONS,

Wednesday, March 10th, 1875.

The SPEAKER took the chair at three P. M.

BILLS INTRODUCED.

The following Bills were introduced and read the first time :—

Mr. JETTE—To change the name of the Montreal Permanent Building Society to that of the Montreal Saving and Loan Company, and to extend the powers thereof.

Mr. BUELL—Respecting the Canada Central Railway Co.

CHATHAM BRANCH RAILWAY.

Hon. Mr. MITCHELL asked whether it is the intention of the Government to consider the advisability of taking over the Chatham Branch Railway, or working the same in connection with the Intercolonial Railway.

Hon. Mr. MACKENZIE said application was made by a Company either to work that road or assist in finishing it, and take it over for $40,000. The Government declined to entertain either proposition as they did not deem it to be in the public interest to be burdened by a work of that kind. He might add that there were some lines connected with the main line which the Government might think it advisable to assist to this extent ; that rails that were too much damaged for the main line might do for branch lines for a time ; and the Government might consider the propriety,—and had done so in fact—of allowing such lines to use the old rails, as they were replaced by steel rails, so long as they would serve their purpose, the rails to be returned when they could serve no other purpose than that of old iron. It was possible the line referred to by the hon. gentleman might be aided in that way.

SALARIES OF SAGUENAY AND GASPE JUDGES.

M. CIMON demande si (considérant que les juges de la cour supérieure pour les districts de Saguenay et Gaspé reçoivent un salaire moins élevé que celui des juges de la même cour nommés pour les autres districts, et que les raisons de différence de ces salaires n'existent plus), c'est l'intention du Gouvernement de considérer cette question, et d'accorder aux juges de Saguenay

«et Gaspé le même salaire que celui donné aux juges des autres districts ruraux de Québec ?

L'hon. M. FOURNIER—Ce n'est pas l'intention du Gouvernement de changer pendant cette session, les salaires des juges mentionnés dans la question.

MARINE HOSPITAL AT LIVERPOOL.

Mr. FORBES asked whether the Government intend establishing a Marine Hospital at Liverpool, Nova Scotia, during the present Summer; and if not, when?

Hon. D. A. MACDONALD—That matter is under consideration.

GOVERNMENT OFFICES AT GUELPH.

Mr. STIRTON asked whether in view of the large amount of revenue collected by the several Government officers in the town of Guelph, it is the intention of the Government to take the necessary steps to procure the construction of a suitable building for the accommodation of said officers?

Hon. Mr. MACKENZIE—I stated, last night, in reply to a question by the hon. member for Brant, that the Government considered the proper course to pursue in relation to such subjects is to endeavor to fix upon a general policy for obtaining buildings either by rental or building in places where the revenue is of such proportions as to seem to justify it, and before the meeting of Parliament next session, the Government will be prepared with some general scheme which will meet the object my hon. friend has in view.

BRITISH COLUMBIA TELEGRAPH LINES,

Mr. DECOSMOS moved that the Western Union Telegraph Company be informed that the Government expect that in return for the subsidy granted to the Company, greater regularity should exist in the transmission of messages between Victoria and San Francisco than has hitherto existed; and that better provision be made to secure secrecy in the transmission of despatches through their office in Victoria. That the attention of the Government be also directed to the importance of making better provision for the regular transmission of despatches with greater secrecy than now obtains over the Government telegraph line between Victoria and Barkerville. He said this motion was made with a view to drawing the attention of the Minister of Public Works to the desirability of bringing under the notice of the Western Union Telegraph Company the fact that the Government expected greater regularity should be observed in the transmission of despatches between San Francisco and Victoria. There had been a very great deal of complaint in British Columbia, and particularly in Victoria, the commercial centre of that Province, about these delays in the transmission of despatches. Days and sometimes weeks transpired when no message could be sent between those two points. Regular communication on this line was very necessary not only in the interest of the commercial community, but also of the Dominion and British Columbia Governments. The line was often down notwithstanding the fact that the Company drew a subsidy of $4,000 a year from the Government. This subsidy was granted on the condition that they would keep up the communication. The office at Victoria was yielding to the Company about $1,000 per month, and this with the subsidy would make about $16,000 a year for keeping the line up between Victoria and Swinomish. There were complaints also, that there was no secrecy observed as to the contents of messages transmitted. Since this notice was put on the paper, he believed an attempt had been made to secure greater secrecy by the Company, removing their office from where it was formerly, to another place. He also directed the attention of the Government to complaints of a similar nature with regard to the line between Victoria and Barkerville. He did not wish to ask the Government to go to any extraordinary expense in keeping up this line, but he thought greater regularity might be secured in the transmission of messages between those points. He had been informed by a gentleman from the interior that messages had leaked out somewhere, and requested to bring this matter under the notice of the Government with a view to remedying it. He did not care whether the motion was carried or not. His object was merely to draw the attention of the Government to the matter.

Mr. THOMPSON (Cariboo) said he had called the attention of the superintendent to the complaints with regard to the Barkerville line. He replied that

these complaints were erroneous, and if any case could be shown where a violation of confidence had occurred, the operator would be discharged. As to the delays, he (Mr. THOMPSON) could testify to the fact. He did not know who was responsible for them unless it was the superintendent, who did not keep a sufficient force on the line, which passed through a timbered country and was liable to be obstructed frequently. He hoped the Government would have the line kept in better repair.

Hon. Mr. MACKENZIE—I am much obliged to my hon. friend from Victoria for calling my attention to this matter. I was not aware, from not knowing the localities, of certain circumstances that he has stated, nor can the Government have any local knowledge of the circumstances referred to but I will avail myself of the information that both of the hon. gentlemen have given as to this matter and do whatever lies in my power to remedy the complaints that my hon. friend has seen fit to make in relation to this matter. I would suggest to him to withdraw his resolution and I promise to give my attention to the matter.

The resolution was withdrawn.

SURVEYS OF THE ST. LAWRENCE.

Mr. BLAIN moved for returns of reports of surveys of the St. Lawrence River, and the probable estimates of improving the navigation of the river to twelve feet of water and also of fourteen feet of water. He said he had the honor last year of moving a resolution embracing to some extent the matter that was covered by the present resolution; it extended to one branch of the chain of internal navigation, while the present motion was confined to another branch extending between Montreal and Lake Ontario. Last year he had endeavored to draw the attention of the House to the different channels, and the slopes down which surplus produce would be likely to find its way to the seaboard, and he then expressed an opinion that we were not likely to have any very great competition from the western slope; but he had since learnt that the people of the western slope of this continent were now carrying to the Liverpool market their grain, and he found that a competition was springing up in various directions that he did not at that time apprehend. Still he felt disposed to adhere to the proposition he then stated that the line of communication along the lakes and down the St. Lawrence, was the only natural highway from the interior of this continent to the seaboard. Last year he adduced reasons why the freight carried by that channel was likely to increase, and he also submitted that we were able to carry freight down the lakes and the river at one-fifth of the cost of transporting it by land. He further pointed out at that time that the trade had formerly increased, and was every day increasing; and he was prepared to say that while the tonnage of the lakes was at that period 12,000,000, now he believed it would amount to 15,000,000. In order to supply the Liverpool market, it was necessary to transport 250,000,000 bushels of grain; and to supply the markets of the Eastern States 200,000,000 were required. It will therefore be apparent to every one that whenever the line of transportation may be between the grain-producing countries and the markets of the East there the freight must pass; and the proposition would not be disputed that wherever freight could be carried the cheapest, there most decidedly would be the line of transportation. I think it is well to consider, when we are treating a subject of this magnitude, whether it is likely that the tendency of trade will continue as it is at present. He had no hesitation in saying that it would not only continue, but that it would vastly increase. The tendency of people of the present age is to flock to cities. About seventy years ago the comparative population in the United States living in cities and in the country was as one to eleven, whereas now it is as 1 to 5; and it thus became evident that the great question to be solved is the question of cheap transportation. Unless we are able to obtain that, the existing order of society must be very materially interfered with. He felt that it would be well for the Government of this country when laying the foundations of this young Dominion to lay them upon a basis that would last, and in that connection he would mention that it was a striking fact in history that all nations who have come down from antiquity have been those who have improved their inland navigation. In laying the foundation of this country it was well to look at its probable future, as

well as to the circumstances of the present time, and he maintained that it was the duty of the Government in dealing with this question to bear that fact in mind, and to lay them as broad as it was possible to make them. He differed, however, from some members of the House in reference to the expenditure necessary to accomplish these objects. He held that if it be possible to so enlarge the navigation of the St. Lawrence in order that vessels might pass from Lake Ontario down to the Gulf ports, it was the duty of the Government to enlarge the channels of navigation so as to permit of the requisite class of vessels passing through. It became necessary, therefore, to consider what vessels were best suited to those ports. And so far as he could understand the best class for the present trade—though it was not the best for an increased trade—was the class of vessels drawing between fourteen and fifteen feet of water. The question, then, was whether the Government should under the circumstances re-consider the policy which they seem to have adopted, and enlarge those channels and so enable us to pass from Lake Ontario down to salt water a class of vessels that would suit all the purposes of the trade of this country. carrying our products to the lower ports and bringing back coal for the people of the upper Provinces. This question of coal supply was an important one for their consideration. Wood as fuel was fast disappearing, and we must resort to coal. If the United States were to cut off our supply of coal what would be the consequences? We would have to pay $18.50 per ton to bring it by rail from the coal mines at Pictou Landing, and lay it on the wharves at Toronto, and it would therefore be quite impossible to obtain under these circumstances. Looking at all the circumstances it became our duty to consider whether we would be able to open up these channels so as to secure a trade that would benefit all sections of the Dominion. It must also be borne in mind that we have a country in the North-West that must be settled, and be desired to shew that our vessels would be able to carry grain from a point 452 miles west of Lake Superior, within the boundary of Manitoba to the Liverpool market at a saving of 50 cents a bushel. Before proceeding further with this branch of the subject he might remark that he had heard objections raised that the ports on the lakes would not give 14 feet of water. That statement be denied. At the time the Canal Commission sat, circulars were distributed over the country addressed to our leading men in which questions were put as to the capacity of the various harbors on the lakes, and this was the information obtained :—

Port Hope had 15 feet of water, and Kingston, Newcastle, Darlington, Toronto, and Hamilton, 14 feet, and Oswego, 18 feet.

Going up still further to lake Erie we find the harbors with the following depths of water :—Port Colborne, Maitland, Stanley, Buffalo, Erie, and St. Clair Flats, fourteen feet. On lake Michigan, Chicago, Milwaukee, and Sault had 14 feet. On Lake Superior the harbors contained any depth of water that might be required. There were no doubt some small ports that had less than 14 feet of water, but looking at the list he had enumerated to the House, no man could truthfully say that the ports on the lakes could not be made available to the depth of 14 or 15 feet of water. He asked a question bearing on this subject the other day of the Government and in answering it the Prime Minister stated that it would cost such a large sum of money to increase the capacity of these channels of communication that he (the hon. Minister), would not be justified in making the expenditure. He held in his hand the report of the Chief Engineer of Public Works that had since that time been printed, and he was prepared to state that there was no substantial difficulty in obtaining 20 feet of water in the St. Lawrence, and there was no single reach in all the canals along that line of communication that would not require to be deepened in order to obtain 12 feet of water. It was a simple question whether or not the workmen should go to an additional depth of a few feet or not. If the estimated cost on the Welland Canal were deduced, it would be found that the entire expenditure necessary to obtain a twelve foot chanel would be $5,000,000, and when hon. members remembered the immense sums of money invested in the various chanels of communication from the West to the East, the item appeared insignificant in the extreme. $150,000,000 were invested in the Grand Trunk, $240,000,000 in the

New York Central, $219,000,000 in the Erie Railway; the total amount of money invested by the United Stated in chanels of communication of this description amount to $450,000,000. By making the small expenditure of five millions we would be able to open up a highway that could never be subjected to monopoly, and controlled by discriminating tariffs. In his judgment, it would be the most short-sighted policy ever adopted if it was possible for the Government to give the country this 15 feet chanel of communication through the St. Lawrence, and they refused to give it. He invited the House to look at the bearings of this question. Let hon. members look at the trade which would flow from the vast grain-growing countries of the West, if we enlarge our canals and improve our line of water communication. He asked the attention of the House to the fact that the United States in 1872 sent to market 220 millions and had a surplus that never reached the market, but which might have reached it of 280 millions. He also asked the House to compare the countries that competed in the Liverpool market with our country. In Russia he estimated the value of the land at $85 an acre, which at 8 per cent. and allowing twelve bushels to the acre would give a rental of 57 cents per bushel per acre. The labor which was chiefly by hand, which was required to produce a bushel of wheat he valued at 79 cents, making the productive price of grain in Russia about $1.36 per bushel. The transportation charges to the sea coast he put at 25 cents, and thence to Liverpool, including transhipment, 20 cents, making in all $1.81 as the price at which Russia could lay down wheat at Liverpool. Now the people of England were able to raise a bushel of grain for about $1.70, so that the farmer there had an advantage of 10 cents a bushel. Turning next to the Valley of the Mississippi, he found that in the well-settled portions land could be bought for about $40 per acre, and taking the interest at 10 per cent and calculating 14 bushels to the acre the rental per bushel per acre would be about 28 cents, labor which was chiefly by machinery, he estimated at 47 cents per bushel, making the productive price 75 cents per bushel. It was established by a Congressional report that the cost of transportation to New York was 55 cents; the charges at New York for insurance, storage, transfer expenses and commission were 25 cents; and the transportation to Liverpool 26 cents; making altogether $1.85 per bushel as the price at which wheat from the Mississippi Valley could be laid down at Liverpool. Now, take our own North-West. Starting from a point 450 miles west of Lake Superior, he estimated the freight, according to the highest rates of the New York Central, at 15 mills per ton per mile, or $6.75 for the 450 miles to Thunder Bay. From Thunder Bay to Montreal, by lake and river, 885 miles, at 3 mills per ton per mile, $2,655; by canal, 103 miles, at 6 mills per ton per mile, 618 mills; and from Montreal to Liverpool, 3,029 miles, at 2 mills per ton per mile, $6,058; making the total freight from a point 450 miles west of Lake Superior to Liverpool, $16,058 per ton, or 48 cents per bushel. Taking land in the North-West worth $6 per acre, and allowing 10 per cent interest, the rental per bushel per acre would be five cents; labor, chiefly by machinery, required to produce a bushel, 50 cents; and freight, as he had just established, 48 cents; making a total of $1.03, or a difference in favor of the North-West of 78 cents as compared with Russia and the Mississippi Valley. However, that there might be no controversy over this calculation, he would take 50 cents a bushel as the balance of advantage in our favor. Last year there was purchased in the Liverpool market of imported wheat something like 85 million bushels, and 50 cents a bushel saved upon that would make no less than $42,500,000. He had taken great care to ascertain the correctness of these figures, and he had not reached this conclusion without the most careful examination. In view of these facts no one could doubt the importance of our deepening our canals so that we could command the advantages he had pointed out. We were now entering upon the work of deepening our canals, and it was of the utmost consequence that we did not, after all our expenditure, fall short of accomplishing the end we had in view. A little more expenditure now might save us a much larger amount a few years hence. But it was not only desirable to deepen our canals on account of the trade with England, but in order to afford better means of communication

between the Upper and the Maritime Provinces, so that the West could supply the East with the products of the soil, and receive in return coal and manufactured articles. No country ever became great that had not the elements of national existence within itself; and with increased facilities for inter-Provincial communication our national existence was secured. He had not intended to detain the House so long, but this was a subject to which he had directed a good deal of attention and on which he felt deeply, and he hoped the Minister of Public Works would, now that we were entering upon the work of canal enlargement, consider the suggestions he had thrown out as to the propriety of making the canals of a greater depth than was now proposed.

Mr. McKAY (Cape Breton) did not see how the deepening of the St. Lawrence Canal would increase the coal trade with the Lower Provinces, unless something was done to check the importation of coal into Ontario from the United States. Nova Scotia depended to a large extent on her coal for her prosperity, but the tax of 75 cents per ton imposed by the United States upon all coal exported to that country, had a depressing effect on the trade. The distance between Nova Scotia and Ontario was so very great that unless some discriminating duty was placed on coals imported into Canada from the United States, Nova Scotia vessels would not find it profitable to come to Ontario. With such a duty, however, as that imposed by the United States Government, vessels could carry coal from Nova Scotia to Ontario and take back return freights. In this way the public would be more than remunerated for the increased price they would have to pay for coal.

Mr. NORRIS said this matter had been so thoroughly discussed that it was unnecessary to say anything further on the subject. He was satisfied to leave the matter in the hands of the Premier, who was a practical man, and would do what was best in the interests of the country.

Mr. THOMSON (Welland) did not rise for the purpose of disturbing the policy of the Government, but still he did not see that any harm would be done by a few remarks relative to the proper size of the canals. It had always occurred to him that the vast extent of the lakes and the magnificence of the St. Lawrence dictated the proper size for the connecting links of navigation. The time was not far distant when larger vessels would be required for the carrying trade. If a sum of $10,000,000 more were expended upon the present large sized canal system, it would secure for all time the carrying trade of the great West to the St. Lawrence. He believed $20,000,000 would be well spent in this direction, and he believed the Government would be backed by the whole country if their policy were to give us large canals to the upper lakes.

Mr. McCALLUM was willing to vote for a tax on coals, though he used large quantities of them himself, if a tax were put on wheat, flour, and grain imported into the Dominion. On a former occasion he voted for such an arrangement, and he would do so again.

Hon. Mr. MACKENZIE said there was no objection to the adoption of the motion except this — there were no such papers to bring down. The House was in possession of all the information that could be given upon the subject. He quite appreciated the arguments that had been used in favor of having a 14 feet navigation. The question they had to decide was whether it was better in the meantime, at a comparatively early day to get a 12 feet navigation, which might be enlarged at a future day to a 14 feet navigation. The hon. member for York quite under-estimated the difficulties of obtaining a 14 feet depth of channel in the St. Lawrence river. The hon. gentleman said they were trifling. On the contrary they were immense. A very large portion of the river would have to be deepened two or three feet in order to obtain fourteen feet. As it is, a little over $1,500,000 must be expended to obtain a 12 feet navigation, and to extend it to 14 feet, many miles of the river, where it was all rocks at the bottom would have to be deepened.

Mr. BLAIN said the report stated that twenty feet could be obtained without difficulty.

Hon. Mr. MACKENZIE said there was, then, the greater necessity why he should state the difficulty which existed in obtaining a fourteen feet navigation. Besides, it must be remembered there was a serious difference of opinion among gentlemen engaged in the forwarding trade as to the advisability of taking large vessels

below the Port of Kingston at all. A very large number engaged in the business believed it was to their advantage to shift the cargo into smaller vessels at Kingston and carry it down to Montreal or Quebec, there to be trans-shipped to sea-going ships. He knew that owners of sailing vessels who had sent them to the ocean more as an experiment than as a matter of business, after doing so for several years, abandoned it because it did not pay. That it would pay with larger canals, there could be no doubt, but whether it would ever pay to send vessels from the extreme end of the upper lakes, drawing fourteen feet of water, across the Atlantic, and to South America was a question yet to be determined. Personally, he did not believe it would pay unless with a class of propellers, somewhat similar to those used in navigating the waters of the Lower Danube and trading with Great Britain. Those propellers were about one thousand tons burden, and he believed they carried on a very prosperous trade, but except in passing the Bay of Biscay, they did not encounter any serious difficulties of navigation. Our vessels would have to encounter the whole Atlantic ocean, and at times when the weather would be very rough. He knew it was a problem yet whether that business would ever succeed. It would certainly pay to carry a cargo of say 60,000 bushels through the Welland Canal, elevate it at Kingston and carry it in smaller vessels to tide-water, there transhipping it to sea-going vessels. The cost of elevating the grain would be about two or two and a quarter cents per bushel. In the meantime, all he could say as to the policy of the Government was this—they were proceeding to obtain at as early a day as possible a twelve foot navigation, and if it should be found desirable or profitable on further consideration to obtain a greater depth, there was nothing in what they were doing at present that would much increase the cost of doing so at a future day.

Mr. YOUNG said it would ultimately be found advisable to deepen the Welland Canal to fourteen feet. His reason for thinking so was that it would be absolutely necessary if we were going to make the St. Lawrence what nature intended it should be—the great highway for transporting the products of the West to the Atlantic Ocean—that a larger class of vessels should be able to navigate it—that vessels plying between Chicago, Milwaukee, and Buffalo, should be able to come down through the Welland Canal, and eastward by the St. Lawrence and its canals, instead of being compelled as at present to pass through the Erie Canal. Suppose that the proposition to give 12 feet of water on the St. Lawrence were carried into effect to-morrow, he still held that Buffalo and the Erie route would have the preference, for the simple reason that the price per ton for transporting freight by water depended entirely upon the capacity of the vessels available for the service. He felt pleased to hear from the Minister of Public Works that the proposed deepening to a capacity of 12 feet would not prevent an ultimate deepening to 14 feet—a course which, he repeated, would be absolutely necessary in the course of a very short time. He had heard a great deal about increasing our St. Lawrence traffic, and of directing through it a much larger proportion of the trade of the West. That such an increase would take place with the proper facilities even in regard to trade destined to Europe, he felt in no doubt, but he was also convinced that we would never direct any great proportion of the produce of the West through the St. Lawrence until we had made a connection in the Eastern States, so that we might get our share of that volume that passed from the Western to the Eastern States. As compared to that trade, the amount that passed through the St. Lawrence to Europe was a mere driblet. The Eastern States were supplied with bread-stuffs almost entirely from the West: and some of them did not produce enough in a whole year to feed their population for more than a month. The great bulk of this trade passed not by the St. Lawrence, but by the Erie Canal and other routes, and we could not get that trade till we had water communication with the Eastern States. The statistics to his hand only dated down to 1872. In that year the traffic through the Erie Canal amounted to 3,647,000 tons while that through the St Lawrence only amounted to 681,000, or not one fifth of the traffic of the Erie Canal. This was the case simply because we could not direct through our waters that portion of the Western trade destined for Montreal and for Europe; He was

convinced that if we wished to get our share of this traffic it would be necessary to have water communication to some point in the Eastern States, and therefore if we intended to perfect our St. Lawrence and Ottawa canal systems, it would be absolutely necessary to construct a canal from the St. Lawrence river to Lake Champlain. Till then our St. Lawrence and Ottawa routes would be quite incomplete, whereas if that connection was made the traffic through our channels would be trebled. He would not enter into the question of cost, but would simply state that Mr. WALTER SHANLEY had estimated it at fourteen and a half millions for ten feet of water upon the mitre sills. We had a report on the subject from Mr. SHANLEY, and Mr. MACALPINE in which they stated that this route would shorten the distance between the western lake ports and New York by six days time, and reduce the freight by twenty cents a ton, which would be quite sufficient to turn the trade through this channel. At present when we were only receiving about 15 per cent of the western traffic the revenue of our canals was but a very small sum over the cost of maintenance. If we could get even half of that traffic the revenue would be sufficient to pay a reasonable interest on the capital invested, and we would see ten vessels on the St. Lawrence and our lakes where to-day we only see one.

Mr. PLUMB said he had had some considerable correspondence with the professional gentlemen named by his hon. friend from Waterloo, and he knew something too about the carrying trade from Lake Champlain down the Hudson. The Champlain canal was four feet deep and forty feet of top width, and both it and that portion of the Hudson River below Albany would have to be deepened before vessels passing through the Caughnawaga Canal could go to New York. The policy of the State of New York was not to create and not even to encourage any route which would compete with the Erie Canal. He was quite aware that during the late negotiations at Washington a proposition was made that the United States should use their influence with the State of New York to destroy its revenue paying canal, but the Governor of the State had, in his message to the Legislature, put his foot down upon any such proposition, and declared in the clearest terms that the policy of the State would be to enlarge, deepen, and in every way possible improve the Erie Canal, in order to command the trade through the centre of the country and protect it against any rival route. It was therefore quite unlikely, indeed quite impossible, that the people of New York State would ever enlarge the Champlain Canal in order to destroy the main artery of the State trade, and the work which yielded them a revenue. Every one acquainted with the navigation of the Hudson River knew that for the first twelve or fifteen miles between Troy and Albany, vessels drawing very little water frequently ran aground and remained for two or three hours. He could not see, under the circumstances, that the proposition of the hon. member for Waterloo, in support of the Caughnawaga Canal, was at all pertinent to the motion before the Chair. He was surprised at the arguments made use of by the Minister of Public Works in regard to the transhipment of freight. The fact was that the simple transportation of freight by vessels cost but a trifle, and the great proportion of the expense was incurred in loading and unloading. To increase the labour connected with that branch of the trade by rendering lightening and reloading necessary would be very greatly to increase the cost of transportation, and he trusted that whatever improvements would be made in the navigation of the canals and water courses, every effort would be made to reduce rather than increase labour and expense of this character.

Mr. BLAIN, in closing the debate, expressed gratification at finding that the Minister of Public Works was likely to take the matter into consideration. His own apprehension was that the policy of the Government had been settled, and that they had determined upon a maximum of 12 feet of water. He pointed out that the tendency had been upon all occasions to cheapen the cost of transportation in proportion to the increase in the size of vessels, and it had been shown by experience that each increase in the capacity of the Welland Canal was a lowering of freight rates by one-half. About one-sixth of the vessels navigating the Upper Lakes could not pass through the Welland Canal, and he showed on a vessel of 500 tons passing through the Welland Canal, the daily expense would be $125; that upon a vessel carrying 2,000 tons, or 1,500 more

would only be $175 per day, thus giving for $50 extra, an additional 1,500 tons. He contended that the day when barges could be used in connection with navigation was past. He combatted the idea that it was necessary that grain should be shifted during transportation over our Canadian waters, any more than in course of transportation over the sea. It was only when navigating the Erie Canal or the Mississippi that this was necessary, because upon these waters it got heated. The First Minister had slightly misapprehended his (Mr. BLAIN's) proposition. He had not in view that a vessel navigating a channel having fifteen feet of water should cross the Atlantic, when our channels were as they would be some day, increased to twenty feet; crossing the Atlantic would be quite practicable with vessels navigating the inland waters. The fifteen feet capacity, however, would give us the next most desirable thing—an unbroken line of communication between the lakes and the sea, ovêr which large vessels might sail without breaking bulk. In reply to the statements of the hon. member for South Waterloo, he contended that the Erie Canal was now navigated to the utmost extent of its capacity. He referred to the proposal before the Massachusetts Legislature to build a double track air line through the Hoosac Tunnel, terminating at the eastern end of Lake Erie, for the purpose of competing for the trade between the West and New York. What he had in contemplation was that we should catch the trade for Liverpool, which would have to be trans-shipped at Montreal. The First Minister appeared to be in possession of some information on the subject of the comparative cost of a channel of twelve, and one of fourteen feet, which he (Mr. BLAIN) did not possess, and which he hoped would be laid before the House.

Hon. Mr. MACKENZIE—It is quite impossible. There is no such information in my possession.

Mr. BLAIN said there were surveys made, and it would simply be necessary to make calculations from them in order to give the House an approximation of the whole cost. He considered that under the circumstances he thought it would be useless to pass the address.

Mr. McDOUGALL (Renfrew) thought the House owed much to the hon. member who had introduced the motion for the valuable statistics given and for the very fair argument based upon them. At the same time, however, the people of the Dominion generally were willing to acknowledge the claims of another line of water communication between the Western grain producing region and the seaboard. The public would admit that the members representing the Ottawa valley had shown their patriotism in not objecting to the action of the Government with respect to deepening the St. Lawrence Canals, but after the appropriations made for that and other works in which the country was engaged had been expended, the attention of the Government might be asked to the desirability of improving the water communication of the Ottawa. He hoped that the same consideration which the people of the Ottawa district had exhibited towards the St. Lawrence Canal improvements, would be shown by the people of the Dominion towards any scheme for the improvement of the Ottawa, provided it could be shown that such improvement would be in the interests of the country. As the report of Messrs. SHANLY and CLARKE on the Ottawa canal was out of print, the Government might very properly cause a re-issue of the pamphlet.

The motion was withdrawn.

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Hon. Mr. MACKENZIE moved the first reading of the Bill respecting copyright (from the Senate.)—Carried.

COMMERCIAL RECIPROCITY WITH THE UNITED STATES.

Mr. PLUMB moved "That an address be presented to HIS EXCELLENCY the GOVERNOR GENERAL praying that he will be pleased to cause to be laid before this House all the correspondence, despatches and papers connected with the negotiations with the Government of the United States for a Treaty of Commercial Reciprocity." He said that in 1846, when matters had settled down in Canada after the disturbances here and on the frontier, an address was adopted by the House of Assembly directing the attention of the Government to the question of trade with the United States, and in pursuance thereof the Colonial Secretary communicated with the

United States Government at Washington, and opened a correspondence with Lord ELGIN, then GOVERNOR GENERAL. Negotiations were entered upon, which, however, dragged along for several years without culminating in any results. The correspondence conducted during those four or five years had in view a treaty covering the natural productions of the two countries; nothing, however, was determined upon, for the Government at Washington was in the hands of a party which had always been the party of protection, and did not favor commercial treaties. In 1854 Lord ELGIN went to Washington and was cordially received by the American Government, although it was difficult to direct the attention of that Government to the question, because it was one that did not interest Americans generally, and trade with Canada had not assumed its present proportions. The facts he had submitted to the House showed that eight years elapsed after negotiations were first opened before a treaty—that of 1854—was arranged. That treaty was very simple in its provisions, embracing only the natural productions of both countries, and it was to remain in force for ten years with a notice of one year afterwards. During the continuance of that treaty, or rather up to 1861, the party in the United States which had always been to a considerable extent a free trade party, held power. In 1861, by the withdrawal of a large proportion of the Representatives in Congress of free-trade doctrines, the Protectionists and Democratic party entered into power, and immediately on their accession to office, which was about the time of the breaking out of the Civil war, the Morrell tariff, which was a strong protectionist tariff, was passed. So soon as it went into operation the condition of affairs with Canada became entirely anomalous, and the attention of the people of the United States was directed to the fact that Canada, under the Reciprocity Treaty, occupied a different position towards the United States from that occupied by any other country. Other circumstances, perhaps, tended to create irritation, and it became certain that before the ten years had expired that the Americans sought to terminate the treaty, which proved to be the case, and it was terminated. The hon. Mr. GALT, the late Minister of Marine and Fisheries, and ex-Lieutenant Governor HOWLAND, proceeded to Washington and returned with the report that they were able to make a treaty for one year. The report of these gentlemen created great excitement, and strong objections were made to the terms which they proposed. The hon. gentleman who had been lately employed by the present Government in negotiating another treaty, was at that time a member of the Administration. After the discussion which arose in June, 1865, in the Legislative Assembly, that hon. gentleman resigned his position in the Ministry, and gave, as his reason for resigning, that he differed with the Government on the question of reciprocity. Mr. PLUMB then read Mr. BROWN'S statement of his reasons for resigning, and proceeded to state that the arrangement proposed by the Commissioners fell through. It was well-known to hon. members that all the predictions of disaster which were made, after the American treaty was withdrawn, proved to be incorrect by the general prosperity which marked the succeeding period. Manufactures sprung up throughout the country, cities increased in population, commerce was developed, the revenues and the banking capital likewise increased, and there was every sign of material prosperity, sufficient to show that it was not the treaty with the United States upon which Canada depended for her prosperity. The gentlemen who were entrusted with the task of consolidating the Dominion carried forward their work; and they had a difficult task to perform, for the gentleman who had resigned his position in the Government, and who was one of the most powerful men in the Dominion on account of his influence in the Press, went into opposition. The record of their success would however, be one of which every Canadian would be proud when party prejudice and differences have died away, and men would take a dispassionate review of the events of those years. Subsequently every man of enlightened views expressed a hope that a commercial treaty would be again arranged between Canada and the United States, and supposed that it will come in good time with the changed condition of affairs in the United States. The House was aware there was a change of Government in the Dominion last year, and following that change negotiations were entered upon for the renewal of the Reci-

procity treaty. Every one was surprised that this step should have been taken without any previous intimation having been given to the country. Personally, he was surprised at the step being taken, for he knew well that it was a moribund Government to whom the Canadian commissioner was applying for a renewal of the treaty. Any one who had watched the progress of events in the Republic would know that the reign of the dominant party of to-day was fast drawing to a close, and that the party which would succeed to power was that party whose principles were those of free trade. Mr. BROWN went to Washington, and hon. members knew the result of his mission. In July, the result of his negotiations was made known to the world; but at the same time we in Canada were warned not to discuss the subject because it would interfere with the negotiations. The Americans told our commissioner that they had no proposition to offer for a renewal of the treaty; but if Canada had any proposition to make they would be considered. Our commissioner promised to include certain classes of manufactures under the treaty; still the Americans said they had no proposition to make. Then came the proposition of the sliding scale, but that did not secure the approval of the United States Government; and our commissioner at length proposed to surrender our valuable fisheries which hon. members, now constituting the Government, thought so valuable when the Washington Treaty was under discussion. All this was done to conciliate the Americans. It was said that the sliding scale could have been withdrawn, but it was the proposition of our own commissioner, and would remain to embarrass future negotiations. It was important to know whether the treaty was in a state of suspended animation, or whether it was really dead, because so long as that point was in doubt the trade and industries of this country would not advance as they otherwise would. The Caughnawaga Canal scheme was, he contended, a highly objectionable feature of the treaty, especially as no guarantee was given by the United States that Canadians should have the use of the Champlain Canal and the Hudson River. In Ontario at least, this whole question was regarded as a very serious one, and so long as there was an uncertainty as to the ultimate fate of the treaty so long would our commercial and manufacturing interests be in a measure paralyzed, for permanency in our trade relations was the basis of their success. We should not allow the offer which this treaty contained to remain open, but we should make it clearly understood that we repudiate it, so that if any future negotiations were entered into we would not be hampered by it. It was to test the feelings of the House upon that point that he had brought up this motion, and he hoped the Minister of Public Works would give some explanations upon it. He had heard that an attempt would be made to revive this treaty; that the Canadian negotiator would not be content with one failure because complete failure would greatly damage his political influence in the country. He (Mr. PLUMB) did not wish to discuss the treaty from the manufacturers' point of view, but this he would say that no one should attempt to pass any measure which would effect all the interests of the country without consulting the manufacturing interests, and this he held the Canadian Commissioner had not done. On the contrary, the views of manufacturers were spurned, and the result was none of the great manufacturers of the country approved of the treaty.

It being six o'clock, the SPEAKER left the chair.

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AFTER RECESS.

PRIVATE AND LOCAL BILLS.

The following Bills were read a second time :—

Mr. IRVING—To incorporate the Manitoba and North-West Permanent Building Society.

Mr. DESJARDINS—To incorporate the Montreal Northern Colonization Railroad Company.

Mr. DESJARDINS—To incorporate the St. Lawrence Bridge Company.

Mr. DEWDNEY—To incorporate a company to construct, own and operate a railway from Red River in the Province of Manitoba, to a point in British Columbia on the Pacific Ocean.

Mr. MACLENNAN—To incorporate the Canadian Steam Users' Association.

Mr. JONES (Halifax)—To incorporate the Anglo-French Steamship Company.

Mr. DESJARDINS—To incorporate the National Insurance Company.

Mr. CAMERON (S. Ontario)—To incorporate the Canadian Gas Lighting Company.

THE NEW BRUNSWICK SCHOOL ACT.

Hon. Mr. MACKENZIE resumed the adjourned debate on the proposed motion of Mr. COSTIGAN, for an address to HER MAJESTY, on the subject of the law respecting common schools adopted by the Local Legislature of New Brunswick in 1871, and praying for the passing of an Act making certain amendments to the "British North America Act, 1867." He said the question before the chair is one that has created a great deal of interest not only amongst members of this House, but perhaps in all parts of Canada. It is one which involves, if the motion of the hon. member should be carried, most serious consequences to the future of this country. Now, I, myself, felt the greatest possible inclination from the first part of this controversy to aid the Catholics of New Brunswick so far as was possible for me to do so, as a member of this House, and so far as was consistent with the obligations which I owe to the country as a member of Parliament, and not as a member of the Government. On a former occasion I objected to the legislation of the Province of New Brunswick in so far as it seemed to drive matters to an extreme without waiting for any judicial decision upon the point at issue, and I voted on one occasion in this House to ask the Government to disallow acts of that Legislature which legalized assessments made under an Act which was itself at the time subject to judicial revision. I took occasion at that time to say if the decision of the Supreme Court to which the matter would be referred should be to the effect that the legislation was within the competence of that Legislature, that then I should advocate submission to the law and a resort to that peaceful agitation, which in all free countries produces ultimately, sooner or later, the desired result in the case of all who have particular hardships to be remedied. That decision has been rendered by the Judicial Committee of the Privy Council. The Law Officers of the Crown at the time that subject was up for discussion formerly had given it as their opinion that it was competent for the Legislature of New Brunswick to pass that Act; but that was not a judicial decision, and I was not bound and felt no inclination to pay the same deference to the opinion of the Law Officers who are simply legal gentlemen—no doubt of high standing, but still not acting under the same auspices as a Judge would be acting on the Bench. I felt all the more inclined to take the course I did because reading the 93rd Section of the Constitutional Act, I believed the Roman Catholics in that Province were entitled not merely to the rights they possessed at the time of the passage of the British North America Act, but that they were entitled also to the privileges that they at that moment enjoyed. It has been interpreted otherwise by the highest authority to which an appeal could be had, and that notwithstanding it is an incontestible fact that the Roman Catholics of New Brunswick did enjoy, up to a comparatively recent period, the right of having separate schools. This was tacitly acknowledged for several years after Confederation took place, which I think no one can deny constituted the existence of a privilege; and I think it would have been wise to have avoided the agitation that has since arisen, by allowing this privilege to continue. It was remarked by the hon. member who introduced this subject to the House—and I am bound to say that no one could have done it in more temperate language or a more judicious manner—that wherever a people labored under the impression that they had a serious grievance, it should be dealt with whether it might be logically construed into being a grievance or not. Logic, sometimes, has very little to do with political action, and we are compelled to acknowledge sometimes a certain principle in one part of the Empire that we cannot logically, for a time, enforce in another. Need I refer, for instance, to the State Church in Ireland. Everybody at last came to acknowledge what had long been asserted by Irishmen. I mean by this term those peculiarly and nationally Irish—that the existance of a State Church resorted to by a small minority, but paid for by the large majority, was an anomaly that ought not to be permitted to exist, and if it was wrong to impose a State Church upon the majority in Ireland, the same reasoning would lead you to say it was clearly wrong to impose a State Church upon the minority in England or Scotland. But

the grievance was manifestly greater in Ireland simply because the great majority of the Irish people were Catholics, while in England and Scotland the great majority, although dissenting from the Established Church, were practically of the same religion. Thus they were all Protestants although diverging on certain points of doctrine. In this particular instance I may say I believe in the secular system—I believe in free schools in the non-denominational system, and if I could persuade my fellow-countrymen in Ontario or Quebec or any other Province to adopt that principle, it is the one I would give preference to above all others, but I cannot shut my eyes to the fact that in all the Provinces there is a very considerable number of people—in the Province of Quebec indeed a large majority—who believe that the dogmas of religion should be taught in the public schools—that it has an intimate relationship with the morality of the people—that it is essential to their welfare as a people, that the doctrines of their church should be taught and religious principles, according to their theory of religious principles, be instilled into the minds of their children at school. For many years after I held a seat in the Parliament of Canada I waged war against the principle of separate schools. I hoped to be able—young and inexperienced in politics as I then was—to establish a system to which all would ultimately yield their assent. Sir, it was found to be impracticable in operation and impossible in political contingencies; and consequently when the Confederation Act was passed in 1867, or rather when the Quebec resolutions were adopted in 1864-'65, which embodied the principle should be the law of the land, the Confederation took place under the compact then entered upon. I heartly assented to that proposition, and supported it by speech and vote in the Confederation debate. And, Sir, the same ground which led me on that occason to give loyal assistance to the Confederation project, embracing as it did a scheme of having separate schools for Catholics in Ontario, and Protestants in Quebec, caused me to feel bound to extend at all events my sympathy, if I could not give my active assistance to those in other Provinces who believed they were laboring under the same disbility and suffering from the same grievance that the Catholics of Ontario complained of for many years. Under these circumstances, Sir, I have taken the action that I have taken prior to this date. But, Sir, there is a higher principle still which we have to adhere to, and that is to preserve in their integrity the principles of the constitution under which we live. If any personal act of mine, if anything I could do, would assist to relieve those who believe they are living under a grievance in the Province of New Brunswick, that act would be gladly undertaken and zealously performed; but I have no right—this House has no right—to interfere with the legislation of a Province when that legislation is secured by an Imperial compact to which all the parties submitted in the Act of Confederation. So soon as the majority of the people of New Brunswick, so soon as the Legislature of New Brunswick shall see fit to make such arrangements as will remove the cause of discontent, I am quite satisfied that Province will find it to its advantage to do so. It is unfortunate that in any Province of the Confederated Dominion there should be any cause for complaint when precisely the same privileges are enjoyed in the large and most prosperous Provinces. And, while I feel bound, Sir, to move an amendment to the hon. gentleman's motion, which will place on record my views of the federal compact and the obligations that rest upon us in connection with it, I shall, at the same time, gladly accord my support to any course which in the opinion of Parliament—if it corresponds with my own opinion—will tend in any way to further the object that the minority in New Brunswick have in view, that is to obtain the same privileges and rights they enjoyed at the time of entering the Union, and which they supposed they were entitled to under the compact. Sir, I have no intention to discuss this matter further, because I conceive that it is quite sufficient to make the remarks I have offered, to indicate my own personal feelings, and to indicate the course that I propose to take. I have merely to say this, whatever may be our religious proclivities or feelings, whatever may be the feelings that actuate us in relation to local grievances, it is not well that we should endanger the safety of any one of the Provinces in relation to matters provided for in the British North

America Act, which is our written constitution. Sir, it must be apparent to every one that it we were to attempt violently to lay lands upon that compact for the purpose or aiding a minority in New Brunswick who have a grievance, no matter, however, just that grievance may be—and from my point of view of think it is one they have a right to complain of—however, much we might entertain that feeling we have no right to do anything that will violate our obligation to defend the constitution under which we live. I may point this out to hon. gentlemen in this House and to the country that ; if it were competent for this House directly or indirectly to set aside the constitution as regards one of the smaller Provinces, it would be equally competent for this House to set it aside as regards the privileges which the Catholics enjoy at this moment in Ontario. It is not desirable that we should make the way open for such purpose, and it is not desirable that anything should be done which would excite religious discussions and promote religious animosities.

Hon. Mr. CAUCHON — Irreligious animosities !

Hon. Mr. MACKENZIE—The hon. gentleman says " irreligious animosities !" I will say animosities about religious subjects. I, therefore, propose to move in amendment :—That all the words after "that" in the original resolution be omitted and the following substituted :—"In the opinion of this House, legislation by the Parliament of the United Kingdom, encroaching on any powers reserved to any one of the Provinces by the British North America Act, would be an infraction of the Provincial Constitution, and that it would be inexpedient and fraught with danger to the antonomy of each of the Provinces for this House to invite such legislation." On referring to the 93rd section of the British North America Act, it will be seen that the second sub-section states that "all the powers, privileges and duties at the Union by law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen's Roman Catholic subjects shall be, and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec." The section further says :— "Wherein any Province a system of separate or dissentient schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an appeal shall lie to the GOVERNOR GENERAL in Council requisite from any act or decision of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education. In case any such Provincial law as from time to time seems to the GOVERNOR GENERAL in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the GOVERNOR GENERAL in Council or any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then and in every case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the GOVERNOR GENERAL in Council under this section." If we were to proceed under that section we would proceed to enact a school law for New Brunswick here, but the very fact that the hon. member for Victoria moved an address to the Imperial Parliament inviting this legislation, shows that he admits we have no power under the Constitution to proceed with this matter. I have no desire to protract the discussion because I believe I have said in very few words all that is absolutely necessary under the circumstances.

Hon. Mr. CAUCHON said he hsd listened with very great attention to the hon. Premier, and not only with attention, but with pleasure. The liberality of the principles which he had expressed was such as would be satisfactory to the people of the whole country. The hon. Premier had his own opinions upon the question of separate schools, but as a true statesman he respected the opinions and the principles of others, and that was the only way Government could be carried on in a country like ours, composed of different and sometimes conflicting elements. He (Mr. CAUCHON) agreed with the Premier that it was exceedingly dangerous to violate the compact entered into by the several Provinces by the Act of Confederation. He was not one of the framers of our Constitution, but it would be admitted he had done his utmost by pen and speech

to carry it out faithfully and successfully. He believed that there had been great want of foresight in the framing of that Constitution, because, while it secured separate schools to the minority in Ontario and Quebec, it placed the Catholics of New Brunswick upon a different footing. That was a great misfortune. If the Catholics of New Brunswick had believed they would not be placed upon the same footing as the minority in Upper and Lower Canada by the Act of Confederation they would not have agreed to Confederation, nor would the Catholics of Lower Canada, and therefore this question would have had to be settled then, while the Constitution was being framed. But at the invitation of leading men in Quebec, Confederation was accepted and now we should not violate the Constitution we had accepted even to redress a wrong which should have been foreseen and guarded against by the framers of the Constitution. Unfortunately since then legislation had been enacted in New Brunswick which had aroused such a feeling as, if not allayed, might be dangerous to the Confederation. He took the ground that we should stand by the Constitution, but at the same time that it was the duty of every lover of this country to so work the Constitution that no class of the people would be oppressed under it. If we wished to keep the Confederation together and promote harmony in all its parts we must yield one to the other. He did not ask any one to sacrifice important principles, but we shall all respect the principles of each other and do nothing that would be regarded as an act of oppression to any portion of the people. It was only by such means that we could have harmony within the Confederation. For these reasons though he approved of the motion of the Premier as far as it went, he thought it was not complete.

Mr. BABY—Hear, hear!

Hon. Mr. CAUCHON said he was prepared in this instance to stand by the framers of the constitution—the men who were the leaders of hon. gentlemen who were now crying "hear, hear!" If any one was to blame for the difficulty in which we were now placed it was those men who framed the constitution. Why did they not place in it those safeguards which would have prevented all this trouble? If there was a duty to perform in this matter it was they who should have performed it. If the constitution was bad it was they who made it so, and yet the hon. gentlemen who supported these men and approved of their course now cried sneeringly "hear hear!" to the proposition that we should do by harmonious means what they should have done by means of the constitution. They should be ashamed of themselves or else be ashamed of their leaders for doing that which they supported them in doing. But he was not going so far as that. He would simply say that we were in a difficult position, and we should deal with this question not with the desire to make political capital out of it, but in a calm, deliberate spirit, with a disposition to concede something for the sake of harmony, to go half way to meet the difficulty. He hoped the vote we would give to-night would be a strong and telling vote—a vote which would have an effect not only in the Province of New Brunswick, but which would convince England and convince HER MAJESTY that there were some people in one corner of this Confederation that were suffering, and that while we had no power to interfere by any legislation of ours, and that would induce HER MAJESTY to use her great influence to remedy the great evil complained of. We had no power without violating the Constitution to do anything more than use what moral force we could command to bring about an amicable settlement of this difficult question, and every lover of his country, every lover of the Constitution, would join with him in endeavoring to have it settled in that way. As representatives here of the whole Confederation the stronger the vote in that direction the better for the object we had in view. If the whole House would vote for the motion he intended to propose the more certain would be the result. And that result would be what it was in Upper Canada. He remembered the struggle they had over the separate school question, but although four-fifths of the people of Ontario were Protestants, there were now no complaints of the separate school system. However, he was not going to discuss that point. All he wanted was to promote harmony and good feeling among the people, and to do this without breaking the Constitution. He, therefore, begged leave to move in amend-

ment to the motion of the Premier, seconded by Hon. Mr. BLAKE, that the following words be added :—

"That on the 29th May, 1872, the House of "Commons adopted the following resolution : "'This House regrets that the School Act "'recently passed in New Brunswick is unsatis- "'factory to a portion of the inhabitants of that "'Province, and hopes that it may be so modi- "'fied during next session of the Legislature of "'New Brunswick as to remove any just grounds "'of dissatisfaction that now exists.' That this "House regrets that the hope expressed in the "said resolution has not been realized. And "that an humble address be presented to HER "MOST GRACIOUS MAJESTY THE QUEEN, "embodying this resolution and praying that "HER MAJESTY will be graciously pleased to "use her influence with the Legislature of New "Brunswick to procure such a modification of "the said Act as shall remove such grounds of "discontent."

The resolution he had referred to was passed by a vote of 117 to 42, and that resolution he proposed should still be adhered to. The basis of his resolution was the same as that which the House had adopted, and those who voted for the former resolution should, if they wished to be consistent, vote for this resolution, unless they had changed their minds and were ready to say that the Catholics of New Brunswick should not have schools which they could conscientiously support. He proposed to repeat the expression of regret that we had pronounced before, and as that had proved insufficient, to go further and ask HER MOST GRACIOUS MAJESTY to use her influence in the same direction ; and everyone who wished to have this question settled without uselessly breaking up the constitution should support him in that course.

Mr. COSTIGAN said before a vote was taken on this amendment, which he presumed contained very important principles, he felt obliged to ask for an adjournment of the debate (cries of No ! No !). He hoped his request would not be refused until he had stated his reasons. The House was well aware that before the discussion on this question commenced, his motion had been on the paper for several days. This was not done on this occasion. He, for one, had no opportunity of knowing what the amendment was. He had heard it imperfectly read, and he thought it was due to those who were favorable to his motion, that they should be given an opportunity to realize to the fullest extent the consequences growing out of this new motion. The Government had asked for an adjournment of the debate on Monday night, though the motion was on the notice paper, for a long time, and though the House seemed prepared to vote. He was satisfied that if the vote had been taken at that time, there would have been a majority in favor of his motion. Since they had been obliged so ask for an adjournment of the debate, it was unfair to refuse him an adjournment now. There was one objection which he had to this amendment, and it was one of the reasons on which he based his claim for delay. Up to this time the House had not affirmed the principle that it could not take the course suggested in his motion. If he understood the reading of this amendment, it clearly laid down the principle that the Catholics of New Brunswick would be debarred for ever from coming to this House again to have their case considered. He quite appreciated the political advantages to be derived from such a course. He could well understand the inconvenience which this question might cause to some hon. members in this House, but he would regret if any hon. member who had heretofore expressed himself favorable to his proposition should hasten to bind himself by adopting this amendment which would preclude him from giving that justice to the minority of New Brunswick to which they were entitled. The object of the hon. member for Quebec was to reaffirm the principal affirmed in 1872, and which was followed by failure. He moved the adjournment of the debate.

Hon. Mr. MACKENZIE said there could be no difficulty in understanding the amendment, and there was no reason why this debate should be adjourned. The Government did not ask for the adjournment last Monday night. An hon. gentleman made the motion and the debate was adjourned accordingly. The whole night was set apart for the consideration of this question, and the House might as well finish it at once.

Mr. MASSON said the original motion, with the amendment of the hon. member for South Bruce, and the amendment of the hon. member for Joliette, had been placed on the journals, so that all could see them and understand what they were asked to vote upon. That was an open and honest way to deal with the question.

For two days the Government had been concocting motions, and now one of them was sprung on the House, of which even the hon. member for Victoria had been kept in the dark. It was a ruse to prevent the hon. member for Joliette from moving his motion. The adjournment of the debate on Monday night was on the motion of the hon. member for North York, but when it was resumed this evening it was not by that hon. gentleman, but by the Premier, whose statement that the Government had nothing to do with it would hardly be credited. The hon. member for Victoria had taken such a stand in this House that he was entitled to have done for him what he had done for the Government.

A division was then taken on the motion for adjournment, which was defeated on the following division:—

YEAS:

Messieurs

Baby,	Hurteau.
Béchard,	Jones (*Leeds*),
Bourassa,	Kirkpatrick,
Bowell,	Lanthier,
Brooks,	Little,
Cameron (*Cardw*),	Macdonald (*Kingston*),
Caron,	McDonald, (*Cape Breton*)
Cheval,	McDougall (*Three Rivers*)
Cimon,	MacMillan,
Colby,	McCallum,
Costigan,	McQuade,
Coupal,	Masson,
Currier,	Mitchell,
Cushing,	Moffat,
Cuthbert,	Monteith,
DeCosmos,	Montplaisir,
Desjardins,	Mousseau,
Domville,	Orton,
Donahue,	Ouimet,
Dugas,	Palmer,
Farrow,	Pinsonneault,
Ferguson,	Plumb,
Fiset,	Pope,
Flesher,	Robitaillie,
Fraser,	Rochester,
Gaudet,	Rouleau,
Gill,	Thompson (*Cariboo*),
Greenway	Wallace (*Norfolk*),
Haggart,	White,
Harwood,	Wright (*Ottawa*)—60.

NAYS:

Messieurs

Appleby,	Killam,
Archibald,	Kirk,
Aylmer,	Laflamme,
Bain,	Laird,
Barthe,	Lajoie,
Bernier,	Landerkin,
Bertram,	Langlois,
Biggar,	Laurier,
Blackburn,	Macdonald (*Cornwall*),
Blain,	Macdonald (*Glengarry*),
Blake,	Macdougall (*Elgin*),
Borden,	McDougall (*Renfrew*),
Borron,	MacKay (*Cape Breton*),
Bowman,	McKay (*Colchester*),
Boyer,	Mackenzie (*Lambton*),
Brouse,	Mackenzie (*Montreal*),
Brown,	Maclennan,
Buell,	McCraney,
Bunster	McGregor,
Burk,	McIntyre,
Burpee (*St. John*),	McIsaac,
Burpee (*Sunbury*),	Metcalfe,
Cameron (*Ontario*),	Mills,
Campbell,	Moss,
Carmichael,	Murray,
Cartwright,	Norris,
Casey,	Oliver,
Casgrain,	Paterson,
Cauchon,	Pelletier,
Charlton,	Perry,
Church,	Pickard,
Cockburn,	Pouliot,
Coffin,	Power,
Cook,	Pozer,
Davis,	Ray,
Dawson,	Richard,
Delorme.	Roscoe,
De St. Georges,	Ross (*Durham*),
De Veber,	Ross (*Middlesex*),
Devlin,	Ross (*Prince Edward*),
Dymond,	Rymal,
Ferris,	Scatcherd,
Fleming,	Scriver,
Flynn,	Shibly,
Forbes,	Sinclair,
Fournier,	Skinner,
Fréchette,	Smith (*Peel*),
Galbraith,	Smith (*Westmoreland*),
Gibson,	Snider,
Gillies,	Stirton,
Gillmor,	St. Jean,
Gordon,	Taschereau,
Goudge,	Thibaudeau,
Hall,	Thompson (*Haldimand*)
Holton,	Tremblay,
Horton,	Trow,
Huntington,	Vail,
Irving,	Wallace (*Albert*),
Jetté,	Wilkes,
Jodoin,	Wood,
Jones (*Halifax*),	Yeo,
Kerr,	Young—124.

Mr. WRIGHT (Pontiac) entered the House too late to vote. He stated that he had travelled ninety miles to record his vote on this question, and if he had been in the Chamber in time he would have voted with the yeas.

Mr. MASSON said the hon. member for South Bruce was really a very powerful man. He could not move his own resolution, but succeeded in getting some one else to move it for him. He (Mr. MASSON) was sure that those hon. members whose eloquent voices had been heard in this House only the other night in favor of the Catholics of New Brunswick —he referred to the members for Montreal

West, and Centre—would record their votes against this amendment, which was no other than that of the hon. member for South Bruce accompanied by a little soothing draught to make it more palatable. It was difficult to discuss this very important amendment. The House had hardly been afforded the necessary time to look into it, and to compare it with the other motions which had been submitted. the hon. member for Quebec Centre had contended that the House must respect the constitution. There was not a member in this Parliament who respected the constitution more than he (Mr. MASSON) did, as would be seen by the vote he recorded on the proposition to change the constitution of the Senate. There were no serious grounds for that change, but in the present instance there were reasons which necessitated some amendment to the constitution. He remembered when the CHAUVEAU amendment was before the House three years ago, the hon. member for Quebec Centre, who was then very favorable to the Administration (it was very extraordinary, but the hon. gentleman was always in favor of the Administration of the day) was entirely in favor of changing the constitution, and of an appeal to HER MAJESTY to do justice to the Catholics of New Brunswick. The hon. member on that occasion voted for a resolution almost exactly the same as that which the member for Victoria had submitted to the House, and further in his correspondence to his own paper, the *Journal de Quebec* on the 25th May, he read as follows:—"In my last letter I spoke of the COSTIGAN motion and the consequences that would follow, but all danger is now past. It is Mr. CHAUVEAU who has cut the Gordian knot of the resolution. He has by that means caused all the perils of the case to disappear. In fact his proposition which will be accepted by the Government, will also be accepted by Mr. COSTIGAN, who is it appears, himself, far more satisfied with it than with the motion, which would have brought on a Ministerial crisis. This amendment comes to the assistance of the Provinces who had separate schools before the Union, whether those schools were established by law or not; but an Imperial Act would be more just and more far-seeing (prèvoyant) if it gave to the minorities of the Provinces distinctly the right to separate schools." This was the same hon. gentleman who now told the House that there was danger in asking the Imperial Government to alter the Constitution, because he happened at this moment to support the Government, as he did on the former occasion the late Administration. Every member of this House must have heard with deep regret the expression which fell from the Minister of Public Works, when he threatened the Catholics of Ontario. The minority in that Province had nothing to fear from the adoption of this resolution or the disallowance of the unjust law of the Province of New Brunswick. He had no fear that the majorities of Ontario and Quebec would ever deal unjustly with the minorities in those Provinces, but if they should, he hoped such legislation would be thrown to the wind by this Parliament. The hon. member for Quebec Centre found fault with those who framed the Confederation Act, or rather threw the responsibility of the deficiency in this Act, which permitted such legislation as the New Brunswick School Act, on the framers of the Constitution. Well, when the British North America Act was under discussion in 1866, an amendment could have been introduced to remedy this defect if the previous question had not been moved, shutting out all amendments. Among the hon. gentlemen who voted for the previous question was the hon. member for Quebec Centre, who, therefore, must share the responsibility for the existence of this defect in the Constitution. The amendment before the House was a proposition to exercise moral suasion, and was similar to the COLBEY amendment of 1872. Among the members who voted for that "chicken broth" motion three years ago were Messrs. FOURNIER, GEOFFRION, and HOLTON. If these hon. gentlemen did not think at that time they should vote for a suasion motion, how could they vote for this amendment especially after they had seen the result of the moral suasion plan? Though he voted against that motion himself, he admitted there were reasons for supporting it at that time. They had assurances from the representatives of New Brunswick in this Parliament that the Legislature of that Province would do justice to the Catholic population. Three years had passed and nothing was done by the local

authorities and there was now good reason for opposing this suasion motion. Three years ago Mr. DORION moved a vote of want of confidence in the Government for not disallowing that Act, and every one of the members of the present Cabinet, from Quebec, voted for that motion. Yet the hon. member for Quebec Centre, in the face of that vote, charged the Opposition with making political capital out of this question. In 1872 the Liberal Press of Quebec could not say enough in favor of Conservatives from that Province who opposed the late Government in the cause of the Catholics of New Brunswick. They were quite enthusiastic, and contended that Mr. MASSON and Mr. BELLEROSE should not be opposed in their elections. They almost erected triumphal arches for him (Mr. MASSON) for his course on that occasion. When Sir GEORGE CARTIER died and a successor was looked for to supply his place in the Cabinet the Liberal Press of Quebec in discussing the question said: "Mr. MASSON cannot be expected to accept the position while the New Brunswick School Act remains in force and the North-West question is settled." Why was not the same principle applied to the hon. gentlemen from Quebec who now occupied seats on the Treasury Benches? He did not find fault with them, but it was unbecoming for the hon. member for Quebec Centre, under the circumstances, to charge the Opposition with being actuated by political feeling in the course they pursued. It was evident that the two amendments were so arranged as to go together. As matters stood, the Opposition could not vote for a motion which declared that the Constitution should not be changed even when the minority in New Brunswick were deprived of their rights.

Mr. BOWELL desired to offer a few remarks in explanation of the vote he was about to give. He intended to vote against the amendment of the hon. member for Quebec Centre and for this reason: because he (Mr. BOWELL) was opposed to the passage of any resolution by the House which would interfere in any way directly or indirectly with the legislation of the Province of New Brunswick or any other Province upon any question, and, if he understood the motion aright it was similar in character to that which was proposed by the hon. member for Stanstead, two or three years ago, which asked the interference of the Imperial Government. If the motion proposed by the hon. First Minister, which raised a fair and square issue, had been put to the House without any milk-and-water amendment, he would have had great pleasure in voting for it.

Mr. DEVLIN said that it was the right and proper course for him to adopt under the circumstances in which he found himself placed, to offer some explanations as to the vote he was about to record. When the question was before the House on Monday evening last he stated briefly his opinion thereon. He endeavoured to express his sympathy with the Catholics of New Brunswick who, he believed, were oppressed by the present position of the School Law; and he then stated that he was prepared to vote for the resolution offered by the hon. member for Victoria. At that time the Government had not enunciated any policy upon the subject and hon. members were ignorant of the course they intended to pursue; in fact it was only to-night that the House had become aware of the course they would pursue, as set forth in the amendments submitted to the House. He still held the opinion he enunciated on Monday evening last. He did not believe that the constitution of which so much had been said was so inviolable that it could not be interfered with; on the contrary he held that when a great grievance arose for which the constitution provided no remedy, it was within the jurisdiction of this House, and that it was a matter that ought to be fairly considered by it, to have such changes made in the constitution as would enable either the Local Legislature or the Dominion Parliament to redress the grievances complained of, provided always that it was a grievance that could be reasonably admitted. Entertaining that opinion, he nevertheless held that the amendment proposed met the case better than the resolution moved by the member for Victoria. He did not rise in his place to advocate that measure on behalf of the Roman Catholics of New Brunswick from any political point of view. He looked upon the question as one of vast importance from which political exigencies ought to be eliminated, and he approached the question as one affecting the liberties of 96,000 Catholics. He did not rise to make a speech which might make him popular

at some coming election and throw away the opportunity which the liberality of the House presents for the redress of the grievance under which his co-religionists in New Brunswick were suffering. After listening to the discussions which had taken place he thought that hon. members who were not Catholics had shown a warm and generous sympathy for the sufferings of the New Brunswick Catholics, and he felt he would be wanting in his duty if he did not reciprocate the kindly feeling which had been evinced, and meet the friends who were prepared to support them half way; and he was prepared to do that as he believed were the overwhelming majority of his co-religionists in that House. When he spoke of the minority in New Brunswick, he might also speak of the minority in the House. The Catholic members formed a small minority and constituted as the House at present was, they had to trust largely to the liberality and Christianity of their Protestant fellow-members to obtain justice when they required it. Upon the resolution was to be founded an address to HER MAJESTY the QUEEN, praying that she use her powerful influence with the Legislature and Government of New Brunswick to relieve the Catholics from the difficulty in which they were placed. We know as a matter of fact that QUEEN VICTORIA had been often appealed to use her influence to avert war and difficulty between foreign nations, and her interposition had on more than one occasion been successful; and who could doubt for a moment that, when HER MAJESTY was called upon to settle a difficulty, not between two foreign nations but between her own subjects, she would take a lively interest in settling that difficulty in a manner which would restore peace and harmony in the Province of New Brunswick, in whose welfare we were all so much interested. He believed the amendment proposed by the hon. member for Quebec Centre would fully meet the exigencies of the case. But if it should appear that the Legislature of New Brunswick turned a deaf ear not only to the expression of opinion which would go forth from this House, but to the intervention of HER MAJESTY, then he apprehended that it would be for the Roman Catholic minority to appeal once more to the justice and liberality of the House to interfere more actively for the relief of the Catholics of New Brunswick. He believed there was not a loyal man in the Dominion who would not feel outraged if the Legislature of New Brunswick was to refuse the friendly intervention of HER MAJESTY, and there was no member of the House who would hesitate to have recourse to the strongest measures that could be employed under the constitution to obtain the relief of the Roman Catholics. He desired the House to remember that the RIEL question and the New Brunswick school question were legacies received by the present Government from the late Government, and he thanked the First Minister for the position taken by Government upon this school question.

Mr. COLBY said the amendment was in substance the one he proposed in 1872, and which he believed at that time was an appropriate expression of the sentiments of the House as maifested in the discussion at that period. It was evident then, when this question was for the first time brought before Parliament, that some kindly feeling towards the minority in New Brunswick existed, as he was happy to find existed now. It was at that time supposed that an expression of this House given in the way in which it was embodied in the resolution would accomplish the result aimed at, and members who at that time voted for the resolution did so, having good reason to believe, from the expressions made use of by the representatives of New Brunswick in this House, and by prominent men from that Province who were in the city, to hope that a moderate, temperate and kind expression of sentiment would be properly received by the Legislature of New Brunswick, and that this unhappy condition of affairs would be terminated. He thought the expression conveyed in the resolution adopted at that time was a happy one. But since that time circumstances had much changed, and an expression of opinion which would have been appropriate then, might be exceedingly inappropriate now. It was at that time a new question: it had not been been discussed by the people; it had not been submitted to the highest tribunal of the empire, it was a question which had not been voted upon by the electors at the polls, and it was one on which instructions had not been given to representatives in this House. But three years had elapsed since that

time, and the New Brunswick school question had been discussed throughout the length and breadth of the land, in every hamlet and every household. There were settled convictions on this great question now. There were many men in this Dominion who believed in the constitutional prerogative of the Legislature of New Brunswick to deal with this question, and who were jealous of any attempt to interfere with that prerogative. There were others who believed that the Catholic minority did actually enjoy certain rights anterior, and for many years subsequent to Confederation, of which they had been deprived by the action of the Legislature, and who desired that the necessary legislation should be accomplished which would restore to them the rights and privileges which they so enjoyed. There were two parties in this House and two parties in the country who entertained honest but different convictions on this important subject. When the motion of the member for Victoria was submitted to the House, followed by the amendments proposed, he hoped the question would be finally settled so that it might cease to be a subject of irritation, controversy and agitation in the Dominion. There was a time when the question could be approached and decided so satisfactorily, so far as the House could decide it, as at the present time. We were not, fortunately, in a period of political excitement. There were no elections at hand which would change the views and actions of hon. members, and if ever a disinterested expression of the House could be given it was at this time. Those hon. members who had, in effect, prevented a full and decided expression of the sentiments of the House, had taken upon themselves a grave responsibility. If it were found that the question were again brought before Parliament two or three years hence, when the country was agitated by other excitements; if the question were brought up in the heat of a general election, and prove a cause of annoyance to hon. members in their constituencies, the responsibility would rest on those hon. gentlemen who had prevented the final settlement of the question at this time. If the House affirmed the amendment, he ventured to say, however satisfactory it might be to hon. members, however much it might relieve them from a temporary difficulty, the result would satisfy no party outside of the House. The Protestants of New Brunswick would not be pleased if this House ventured for a second time to express an opinion which they had previously considered a piece of impertinence. The Catholics of New Brunswick would not be pleased by being tampered with and played with in this way. The Protestants of the Dominion who believed the subject should be definitely settled by a strong Government, would not be pleased by the solution proposed. It might relieve members from the present difficulty, but it would return with tenfold power at some future period.

Mr. BARTHE admitted that the amendment of the hon. Premier was submitted with all the strong reasoning which characterised his speeches, but it contained an abstract principle which, under the present circumstances, he (Mr. BARTHE) could not approve. The amendment submitted by the hon. member for Quebec Centre was not practical, and it was desirable that a settlement of the question should be arrived at. There were various sources of discontent in the Dominion. He admitted that the question of amnesty had been settled to his satisfaction, and he hoped to the satisfaction of the whole country, and he thought that if the Opposition, including the members for Terrebonne and Bagot, had been in office, they would not have disposed of this question in a more satisfactory manner than that in which it had been settled. The feeling of the people of the Province of Quebec was that the clemency of the Crown should have been exercised more fully in the case. They felt, however, that the Government upon that occasion did their duty. The question now before the House was equally important with that, if not the more important of the two. The Catholics of New Brunswick, indeed the Catholics of the whole of Canada, were dissatisfied with the state of things in that Province. The system existing there he did not hesitate to call an unjust and a most unfair one, against reason and against conscience, and he maintained that no one could properly lay claim to liberality and support it. What would the minority of the Province of Quebec have said had the majority there refused to give them their

just rights? If those rights had been refused, and an appeal to this House had been found necessary, he felt quite sure that it would not have been refused, but that Roman Catholics and Protestants would have voted together to concede the same rights to them as were asked by his (Mr. BARTHE's) co-religionists in New Brunswick. He did not see why they should not give to the minority of New Brunswick the same liberal concessions that had been given so liberally to the minority of Quebec. If discontent were sown, we would reap anarchy; and if that unfortunate result did not arise today, it may come perhaps another day. Some time past, there was in Quebec a party who, for commercial reasons sought for annexation to the United States. They were dissatisfied with their commercial position, and hoped to better it by the change. But dissatisfaction arising from religious causes was much more intense than when it arose from commercial feelings; and if we wished to have peace and prosperity in this Dominion, to have the whole people working together for the good of their common country, we must give satisfaction to every one; for we lived in a country of the greatest liberty, as was always the case under the great and glorious flag of Great Britain. He hoped the amendment of the hon. member for Quebec would be lost, because it was not practical, and that the motion of the hon. member for Victoria would be carried. If, however, the amendment was carried, and went to England, he hoped the people of New Brunswick would repair the breach before any action could be taken from across the Atlantic, give way to the desire of this House, and render justice to the oppressed minority. If the hon. members who represented that Province in this House acted otherwise, they would incur a very great responsibility. He (Mr. BARTHE) had been in this House before, and he gave a liberal support to the Government which was in power at the time, but upon this particular question, when he found their policy was one of which he did not approve, he did not hesitate to vote against them. He had also given a liberal support to the present Government, but he had promised to his constituents to do the utmost justice to the Catholics of New Brunswick, and for that reason and for the reasons he had already given, he would vote against the motion of the hon. member for Quebec, and according to the observations he had made.

L'hon. Mr. FOURNIER:—Je n'ai pas l'intention d'entrer dans les détails de cette question, qui est déjà décidée dans l'esprit de la grande majorité des membres de cette Chambre; et si l'hon. député de Terrebonne n'eut pas fait allusion au vote que j'ai donné antérieurement sur cette question, dans le même sens que lui, je n'aurais pas pris la parole ce soir. On ne peut me faire le reproche d'inconsistance. Le parti libéral auquel j'appartiens a toujours été en faveur des écoles séparées et peut réclamer le mérite de les avoir fait établir dans Ontario, dans l'intérêt des catholiques de cette Province. Les conservateurs ne peuvent réclamer un mérite qui appartient aux libéraux, qui n'ont cessé de combattre pour les écoles séparées qu'après en avoir obtenu l'établissement. Or, M. l'ORATEUR, nos convictions sont aujourd'hui ce qu'elles ont toujours été, et nous faisons aujourd'hui tout ce qui est possible et pratique en faveur du principe des écoles séparées, et pour réussir à le faire triompher au Nouveau-Brunswick. Si le parti libéral eut fait la Confédération. il aurait pourvu à la protection de la minorité catholique du Nouveau-Brunswick, et on n'aurait pas aujourd'hui à chercher les moyens de faire rendre justice à cette minorité. Aujourd'hui, il faut compter avec les difficultés de la situation, qui nous ont été léguées par le dernier Gouvernement. Nous avons déjà réussi à régler une de ces difficultés et nous réussirons, je l'espère, à régler celle-ci également. Aujourd'hui l'on nous propose, M. l'ORATEUR de changer la Constitution sans la participation du Nouveau-Brunswick. Quelle a été la conduite du parti libéral jusqu'à présent à propos de cette question? Chaque fois qu'elle s'est présentée, il a courageusement et noblement défendu la cause de la minorité catholique du Nouveau-Brunswick, mais en même temps il s'est opposé à l'amendement de la Constitution comme moyen de régler cette question. L'organe actuel même du parti adverse, a fait notre éloge pour la ligne de conduite que nous avions suivie. J'agis donc aujourd'hui conformément à mes principes. Lorsque le député de Victoria demanda le désaveu mes amis et moi nous

le soutînmes et nos votes lui obtinrent la majorité. On sait que l'hon M. GRAY fit une motion à peu près dans le même sens que celle de l'on. PREMIER pour sauvegarder l'indépendance des provinces.

A cette motion l'hon. M. CHAUVEAU proposa un sous-amendement demandant à faire modifier l'Acte Constitutionnel par un acte déclaratoire reconnaissant les droits de la minorité catholique sur cette question.

Eh bien ! M. l'ORATEUR, quelle a été la position prise par le parti libéral sur la motion de M. CHAUVEAU. Cette motion ne demandait pas un changement mais plutôt un acte déclaratoire de ce qui était supposé exister. Et cependant nous avons voté contre cette motion parcequ'elle comportait une admission du principe que l'on pouvait amender la Constitution. Pour ma part, je ne suis pas plus disposé à voter aujourd'hui dans ce sens, que je ne l'étais alors. La motion du député de Stanstead devait être écartée suivant moi, pour arriver à supporter la motion du désaveu, qui fut dans une autre session, emportée par la majorité des membres de cette Chambre, comme on le sait, et remplaça celle de l'hon. M. CHAUVEAU. Et si cette victoire remportée plus tard n'a pas eu de suite, c'est parceque l'action du pârti libéral fut gênée, par des instructions venues, disait-on, des autorités religieuses Ce fut un sacrifice de dignité et d'intérêt de ne pas proposer alors un vote de non-confiance. qui était la conséquence inévitable du premier succès. C'est pour cette raison que j'ai voté contre la motion COLBY. Le parti libéral offrit de soutenir le Gouvernement d'alors comme un seul homme, sur la question du désaveu, s'il voulait adopter cette ligne de conduite. La chute du Gouvernement d'alors aurait certainement amené le règlement de la question.

M. MASSON :—Comment l'auriez-vous réglée ?

M. FOURNIER :—La nouvelle administration aurait naturellement recommandé le désaveu, et si elle ne l'eut fait, elle eût été défaite et remplacée par une autre qui, en obéissance à la volonté de la majorité de la Chambre, aurait été obligée de désavouer la loi des écoles du Nouveau-Brunswick. Eh bien ! M. l'ORATEUR, si la question n'a pas été réglée, c'est la faute de ceux qui n'ont pas voulu accepter les conséquences du vote de la Chambre sur le désaveu. Maintenant les délais sont passés et le plus haut tribunal s'est prononcé et a déclaré la loi constitutionnelle. De plus le Gouvernement Impérial a déclaré que les droits des Provinces ne pouvaient être modifiés ou la Constitution changée en ce qui les regarde que de leur consentement. Que reste-t-il donc à faire ? L'article de la Constitution est formel, et les moyens semblent difficiles à trouver. L'hon. député de Richelieu trouve que le moyen suggéré par l'amendement du député de Québec Centre n'est pas pratique. A-t-il lui-même un moyen plus pratique de régler la question ? Le député de Terrebonne a-t-il quelque chose de pratique à proposer, lui qui repousse toute solution autre qu'un amendement impossible à la constitution ?

M. MASSON :—Je serais prêt à proposer un moyen pratique et efficace de régler la question, si j'étais à la place de l'hon. ministre. Je dirai avec Lord RUSSELL que j'agirai quand j'en serai requis.

L'hon. Mr. FOURNIER :—Je suis prêt à céder ma place à l'hon. député de Terrebonne s'il a une solution pratique à nous offrir ; mais il doit savoir que pas plus ma place que celle du premier ministre de l'empire ne lui suffirait pour faire accepter par le Gouvernement Impérial l'idée de règler cette question par un amendement à la constitution. Il serait certain d'être rencontré par un refus formel, car c'est la politique bien arrêtée de l'Angleterre et signifiée au Gouvernement de la Puissance d'Ontario demandant d'amender les clauses de l'acte constitutionel concernant les conditions financières, de ne faire aucun amendement au pacte fédéral sans le consentement des Provinces intéressées. Maintenant le plus haut tribuual de l'empire et le Gouvernement Impérial ont décidé que la question était de la seule compétence de la législature du Nouveau Brunswick toute demande d'amendment serait certainement refusé. Les hons. membres ne font peut-être pas assez attention que le Gouvernement Impérial a formellement prononcé sur ce sujet, comme on peut s'en convaincre en référant à la dépêche adressée à Sir JOHN YOUNG par Lord GRANVILLE :—

" L'Acte de l'Amérique Britannique du Nord (1867) contenait les conditions de la Confédération arrêtées, par l'entremise de leurs représentants, entre les différentes Provinces de l'Union, et le Gouvernement de SA MAJESTÉ ne se croirait pas justifiable de proposer au Parlement Impérial

de priver le Parlement du Canada d'aucun pouvoir que cette Acte lui confère."

Eh bien ! M. l'ORATEUR, cela doit suffire pour montrer l'inconstitutionnalité de la proposition du député de Victoria. Le député de Terrebonne serait-il non-seulement à ma place, mais serait-il même premier ministre anglais qu'il ne pourrait régler la question par les moyens qu'il indique. Cependant, la question n'est pas insoluble. Il y a un dernier moyen de la régler, c'est par la conciliation, l'exercice de l'influence de cette honorable Chambre, l'invitation gracieuse à SA MAJESTÉ d'user de son influence auprès de la législature du Nouveau-Brunswick pour faire consentir la majorité à rendre justice à la minorité catholique. Je crois à la puissance de l'opinion publique et je crois aussi à la puissance de la raison. Nous avons déjà réussi, aux moyens de ces deux forces, à règler une difficulté importante. Lorsque notre adresse sera mise au pied du trône et que la gracieuse intervention de SA MAJESTÉ aura lieu, il n'y a pas de doute que le calme, la paix et la justice se rétabliront dans le Nouveau-Brunswick. Le moyen suggéré par le député de Victoria est impossible. Il ne reste virtuellement que celui que nous proposons. Un mal si considérable ne peut-être sans remède. Le député de Richelieu a fait allusion à des évènements politiques qui ont laissé un profond souvenir. L'hon. membre a rappelé que pour des raisons commerciales, un certain nombre de citoyens avaient demandé l'annexion. Je lui ferai d'abord remarquer que si l'hon. député espère avoir les écoles séparées en s'annexant aux Etats-Unis, il sera deçu, car les écoles communes existent par la loi dans tous les Etats-Unis. Si l'hon. député à voulu faire une menace, il a eu gravement tort, et au nom des Catholiques de la Puissance je protesterais contre cette façon de menacer de se séparer et de se soulever contre l'autorité, parce que la demande faite par le député de Costigan ne peut-être accueillie favorablement par la majorité de cette Chambre. Une pareille pratique ne peut manquer d'avoir les plus mauvais résultats, surtout pour les intérêts Catholiques si souvent en jeu dans cette puissance.

M. BARTHE explique qu'il n'a pas voulu faire une menace, mais qu'il s'est servi de ce fait comme d'un argument pour montrer le danger pour l'unité et la paix de cette puissance, de laisser exister de telles causes de mécontentement.

L'hon. M. FOURNIER conclut en insistant que les amendements proposés sont le seul moyen pratique et efficace, en même temps que constitutionnel, de règler la question du Nouveau-Brunswick pour le grand avantage, sous les circonstances, des catholiques du Nouveau-Brunswick.

M. BABY : — Suivant franchement l'exemple de l'hon. député de South Bruce, j'avais fait mettre sur les ordres du jour un avis de motion comportant mes vues sur la question actuellement devant la Chambre. Je voulais faire connaître au pays, ma manière de voir, mes sentiments, mes opinions. Je ne voulais pas laisser ignorer au public ma manière de voir. Les hons. membres de l'autre côté n'ont pas voulu suivre le député de South Bruce. Ils ont cru devoir tirer le rideau et nous laisser voir leur manière d'agir qu'à un moment donné. Nous avons été pris par surprise. Nous leur avons demandé un sursis pour pouvoir considérer la situation et examiner les amendements proposés. Ce n'était certes pas une demande si exorbitante ou si injuste. Cependant ils ont cru qu'ils ne devaient pas nous accorder ce sursis, quoique la question soit une des plus importantes et des plus intéressantes qui puisse nous être soumise. Nous avons donc, M. l'ORATEUR, à faire face à la position qui nous est faite. On nous dit : Il est inconstitutionnel de vouloir toucher au contrat sacré ; vous ne pouvez porter atteinte à la constitution sans le consentement des parties à ce contrat ; si vous voulez le changer faites intervenir les intéressées. Certes, j'aime à entendre dire cela très gravement, lorsque, à diverses époques, on a amendé et changé la constitution sans demander le bon vouloir des Provinces intéressées. Et non-seulement le Gouvernement d'ici, mais le Gouvernement Impérial a changé la constitution sans demander le consentement du peuple de ce pays ou de ce Parlement. Il n'y a pas deux ans, pour en citer un exemple, le Gouvernement Impérial a décidé, sans consulter ce Parlement, que les limites des Provinces pouvaient être changées de façon à pouvoir former d'autres Provinces à même celles déjà existantes. C'est ainsi que notre autonomie, nos droits et nos intérêts les plus chers sont exposés sans que nous ayons été con-

sultés. On peut scinder la Province de Québec en deux ou trois Provinces. L'avons-nous demandé ? Non. A-t-on entendu les protestations ministérielles contre cette atteinte portée à nos droits ; a-t-on entendu à cette occasion les protestations ministérielles que nous entendons aujourd'hui ? Les a-t-on entendu dire que nos droits étaient en danger ? Oh non ! Et cependant si nous étions divisés, nous ne serions plus rien. Donc, quand on nous dit que nous ne pouvons en cette circonstance toucher à la constitution je réponds que l'on nous fait une grande injustice, contre laquelle nous devons protester de toutes nos forces, car si, sans nous consulter on a changé la constitution pour nous scinder et nous diviser, on ne peut nous contester le droit de la changer dans l'intérêt des Catholiques du Nouveau-Brunswick, auxquels ont fait une si criante injustice.

L'Hon. M. FOURNIER explique que le changemennt auquel réfère l'hon. député de Joliette ne peut avoir lieu que du consentement des Provinces concernées, ou s'applique au cas de nouvelles Provinces que l'ont voudrait former.

M. BABY soutient que ce changement s'applique aussi aux Provinces actuelles et continue en disant : Nous avons le droit de dire qu'on nous a fait une immense injustice en passant un tel Acte. Maintenant, quant à la brûlante question qui nous occupe, je ne veux pas, à ce sujet, en appeler aux sentiments religieux ni aux passions. Je dis seulement à ceux dont le *fair play* existe partout où flotte le drapeau anglais, de faire pour nous ce qu'ils demanderaient que nous fissions s'ils étaient à notre place. Ils s'opposeraient par tous les moyens constitutionnels à une pareille injustice. Ou sait qu'il répugne absolument à la conscience des Catholiques du Nouveau-Brunswick d'accepter la loi des écoles communes. Par cette loi, on dit que les enfants n'appartiennent pas à leurs parents pour les fins d'éducation, mais qu'ils appartiennent à l'Etat. Eh bien, pour les Catholiques, c'est le droit du père et de la mère de ne laisser inculquer à leurs enfants que les sentiments et les enseignements religieux de leur foi, ce qui en fait des citoyens remplis de cette loyauté et de ces vertus qui ont conservé le peuple Canadien dans son autonomie, sa religion, et sa fidélité. C'est contre notre conscience, c'est contre la conscience des Catholiques du Nouveau-Brunswick d'envoyer leurs enfants à des écoles d'où tout enseignement religieux est banni, ou là où on ne donne pas l'enseignement religieux catholique convenable. Une telle chose est contre nos sentiments. Ne nous forcez pas plus longtemps à faire une chose qui répugne tant à notre conscience, car vous nous ferez l'injustice la plus grande et la plus criante. Je ne veux pas jeter l'injure aux Protestants du Nouveau-Brunswick, ni blesser les sentiments de leurs chefs en quoi que ce soit ; je veux au contraire tout simplement en appeler à leur esprit de justice et de modération. Donnez à nos co-religionnaires ce que les vôtres ont dans Québec et Ontario, c'est tout ce que nous exigeons : justice égale pour tous. Je suis surpris que le député de Québec Centre vienne nous parler des fautes commises par les auteurs de la Confédération. Autrefois l'hon. membre a été contre la Confédération. Plus tard il devint favorable à ce projet, et dans un temps il a écrit un pamphlet dans le sens de la Confédération, et dans un autre temps il a écrit un pamphlet contre la Confédération. Quand l'Acte de Confédération a été soumis à la discussion, qu'a-t-il dit ? Il a dit que nous n'avions rien à craindre, et qu'il avait d'autant plus de confiance en cette partie de la Constitution qu'elle venait des hommes qui étaient alors au pouvoir.

M. BABY lit alors quelques extraits en langue anglaise et continue :

De sorte que l'on peut voir que l'hon. membre approuvait ce qui avait été fait.

L'hon. M. CAUCHON :—Je n'ai pas dit le contraire. Seulement j'ai dit que s'il y avait du mal, c'était votre faute.

M. BABY :—Eh bien ! vous avez dit qu'il y avait du mal et que nous étions appelés à le réparer ; nous aussi, nous trouvons qu'il y a du mal, mais nous voulons y apporter le remède véritable, nous voulons nous adresser à l'Angleterre pour lui demander un acte qui redresse l'injustice faite à la minorité du Nouveau Brunswick. L'hon. membre oublie que j'ai voté non-confiance avec ses amis et avec les conservateurs du Bas-Canada qu'on appelle aussi tories. L'hon. député de Québec Centre devrait se rappeler que lui et ses amis ont voté avec les conservateurs, qui ont voté par conscience, dans l'intérêt public et contre leurs propres chefs. Je ne pense pas que l'hon. député songeait à ce fait lorsque, au commencement de cette séance il nous accusait de faire du " capital poli-

tique" de la question. Telle n'est pas notre intention, tel n'est pas notre but. Je crois aussi que l'hon député de Richelieu n'a pas voulu faire de menaces ; je ne l'en crois pas capable ; mais nous agiterons la question tant que nous n'aurons pas obtenu pleine et entière justice pour nos co-religionnaires. L'hon. ministre de la justice a dit qu'il était consistant avec lui même et le parti libéral, en votant pour les amendements aux résolutions du député de Victoria. Je crois bien qu'il est consistant avec lui-même et comme libéral puisqu'en 1856, le parti libéral proposa les écoles communes que personne ne demandait. Le parti de l'hon. député de la Justice s'est alors prononcé pour le système protestant dont se plaignent les Catholiques du Nouveau Brunswick.

L'hon. M. FOURNIER :—Ai-je jamais voté pour les écoles communes ?

M. BABY :—Oh ! non, et je serais fâché de mettre qui que ce soit sous cette impression. Mais le parti de l'hon ministre l'a fait.

M. BOURASSA :—Le parti libéral n'a jamais voté pour les écoles communes.

M. BABY :—Je suis content de l'apprendre. Mais si le parti libéral n'a pas voté individuellement pour les écoles communes, il dait admettre qu'il l'a fait par ses chefs, MM. DORION et PAPIN.

L'hon. M. GEOFFRION :— Puisque l'hon. député de Joliette tient le parti libéral responsable des actes de ses chefs, il doit admettre que le parti conservateur est responsable du vote que son chef, feu Sir GEORGE E. CARTIER, a donné contre les écoles séparées du Nouveau-Brunswick.

M. BABY :—Il n'y a pas d'analogie entre les deux cas. Au reste nous n'avons pas suivi notre chef dans cette occasion ; nous avons même voté contre lui, tandis que les libéraux, eux, ont suivi leur chef, M. DORION, qui avait voté pour les écoles mixtes.

M. BOURASSA :—M. DORION n'a jamais voté pour les écoles mixtes.

M. BABY insiste et dit que M. DORION a voté pour les écoles communes, et que si M. DORION n'était pas le chef du parti libéral, il marchait à sa tête dans tous les cas. Toujours est-il, continue l'orateur, que nous, nous avons abandonné nos chefs quand ils ont mal fait, et nous avons voté avec l'opposition d'alors. J'espère que les députés de Napierville, de St. Jean et plusieurs autres voteront avec nous, j'en ai pleine confiance. Les hons. ministres de la Justice et de l'Intérieur votaient contre la motion COLBY en 1872, qui comporte le même sens que celle de l'hon. membre de Québec Centre, en disant que ce n'était pas le moyen de porter remède, mais qu'il fallait un remède direct. Aujourd'hui ils ne sont pas consistants avec eux-mêmes, ils doivent l'avouer. Ils nous disent, au contraire, que tout est fini, que les vaisseaux sont brûlés, qu'il faut en prendre notre parti et renoncer à obtenir la passation d'un acte de justice ; et qu'il faut accepter ce qu'on nous offre. Mais que nous offre-t-on ? Une adresse priant SA MAJESTÉ de vouloir bien employer son influence auprès de la majorité du Nouveau Brunswick pour les faire renoncer à leurs prétentions. C'est un leurre et cette proposition équivaut à rien du tout. Si encore vous demandiez qu'un acte soit passé, que quelque chose de tangible fût fait, à la bonne heure, je comprendrais votre raison d'agir ; mais ce que vous proposez, je le répète, n'est qu'un leurre. Nous voulions nous réunir à vous, mais pendant les deux jours qui se sont écoulés, depuis l'ajournement du débat, on a ourdi ces propositions et c'est le député de Québec Centre qui a été chargé de nous présenter le plât. Eh bien, ce met, nous ne voulons pas l'accepter, nous voulons quelque chose de tangible, qui soit un remède réel. Nous sommes conséquents avec nous-mêmes. M. le Ministre de la Justice à prononcé le mot "désaveu." Eh bien ! le ministre actuel pouvait fort bien désavouer l'amendement à la loi de 1871 s'il l'avait jugé à propos. Il avait jusqu'au mois de septembre dernier pour le faire.

Voix à droite :—C'est faux !

M. BABY :—Je ne connais pas les raisons qui ont pu empêcher le ministère de ne pas désavouer cette loi. Il avait sans doute de bonnes raisons, et c'était être consistant avec le parti libéral que de ne pas désavouer la loi !

L'Hon. M. FOURNIER :—Le délai pour le désaveu de la loi de 1873 n'était pas expiré, mais la question de constitutionnalité ayant été référée au comité judiciaire du Conseil Privé, il n'était plus au pouvoir du Gouvernement d'intervenir dans cette affafre.

M. MASSON dit que le délai pour désavouer l'amendement de 1873, n'expirait qu'en septembre 1874, mais qu'il ne reproche pas au Gouvernement de ne l'avoir pas désavoué.

L'Hon. M. FOURNIER :—J'ai déjà expliqué qu'à raison de l'appel au Conseil Privé le Gouvernement se trouvait désaisi de la question et que c'est pour cela que le Gouvernement n'a pas pris en considération la question du désaveu de l'amendement de 1873.

M. BABY :—Eh bien, M. l'ORATEUR, on pouvait désavouer cette loi, on ne l'a pas fait, c'est l'affaire du Gouvernement. Mais j'ai droit de reprocher au Gouvernement de ne pas soutenir la demande d'un amendement qui aurait un effet sensible, sérieux et efficace. L'hon. Ministre de la Justice se rejette sur ce qui a été fait en 1872 et invoque la sagesse de la prudence. Quel a été l'effet, M. l'ORATEUR, de la résolution qui fut adoptée pour exercer une influence morale sur la Législature du Nouveau-Brunswick ? S'il y a une différence, c'est que la situation est pire qu'auparavant et que la majorité est encore moins disposée à rendre justice qu'elle ne l'était il y a trois ans. La proposition qui nous est faite ne fera qu'aigrir les esprits, sans aucun bénéfice quelconque pour les intéressés. L'an prochain la question reviendra plus brûlante que jamais, soyez en assuré M. l'ORATEUR. J'avais l'espoir d'une entente, d'une solution qui aurait réuni tous nos suffrages. On a craint de recevoir nos suggestions ; on n'a pas voulu nous donner un quart d'heure de répit. Eh bien ! nous ne pouvons nous démentir et abandonner la position que nous avons prise. Le député de Terrebonne a plus d'expérience que moi et je sais que sa manière de voir à cet égard a toujours été marquée au coin de la logique et du patriotisme. Quant à moi, le côté ministériel le sait, je n'ai donné qu'un seul vote sur la question depuis mon entrée au Parlement et ce seul vote a été donné contre ceux que j'avais toujours soutenus. Vous ne pouvez donc me faire le reproche de faire du capital politique, puisque, au sacrifice des hommes, de mes chefs, j'ai été fidèle à mes principes religieux et politiques. M. l'ORATEUR, nous devons prendre la position ferme et tranchée que nous indique le député de Victoria, au lieu de prendre la route indirecte qui ne mène à rien, ou le chemin des écoliers (pour me servir d'une expression bien connue) que nous trace le Gouvernement. Le député de Montréal Centre a pris une singulière position. Après avoir trouvé magnifiques les résolutions du député de Victoria et avoir mis au service de la bonne cause son éloquence, il est venu nous dire qu'il ne pouvait plus soutenir ces résolutions depuis que le Cabinet avait fait connaître une politique différente. Mais si plus tard, ajoute l'hon. membre, vous avez encore besoin de moi, (l'hon. membre de Montréal Centre), alors je serai avec vous de nouveau. En d'autres termes M. l'ORATEUR : pour le moment je laisse les Catholiques du Nouveau-Brunswick à eux-mêmes pour ne pas nuire au Cabinet. Les prémisses de l'amendement du premier ministre condamnent la position prise en dernier lieu par l'hon. député de Montréal Centre ; car il est dit au commencement de cet amendement qu'on ne peut toucher à la constitution. Et quand " plus tard," on viendra demander justice pour les Catholiques du Nouveau-Brunswick, on nous montrera les journaux de la Chambre pour nous prouver que nous ne pouvons rien faire pour les Catholiques du Nouveau-Brunswick, cela étant contraire à la constitution ! Il ne sera plus temps *plus tard !* Si je signale cette position anormale du député de Montréal Centre, c'est afin de donner à penser aux hons. membres de cette Chambre qui pourraient se laisser tromper par la brillante manière de raisonner de ce député. M. l'ORATEUR, en résumé j'insiste sur ce point que la proposition du député de Québec Centre n'atteindra pas l'objet qu'elle a en vue. Je m'excuse d'avoir parlé plus longtemps que je n'aurais dû, et d'avoir peut-être été trop loin dans l'attaque ; ma bonne foi et ma franchise seront mon excuse. Je remercie la Chambre de m'avoir écouté avec tant de bienveillance.

M. BECHARD :—C'est la troisième fois, je crois, que se pose devant cette Chambre la question des écoles du Nouveau-Brunswick. Que cette question soit d'une importance extraordinaire, c'est ce que personne n'ose se dissimuler. La gravité des intérêts qu'elle comporte, les difficultés qui entravent son règlement, en font pour cette Chambre un problème redoutable et difficile à résoudre. La lutte qui se fait au Nouveau-Brunswick au sujet de cette question, dure depnis quatre ans, et ne cesse d'y créer une profonde agitation, qui, revêtant un caractère religieux et national, soulève les passions les plus violentes. Après les événements regrettables qui ont eu lieu à Caraquet, il faut chercher les moyens de mettre un terme à l'agitation

et faire disparaître un danger qui compromet la paix de tout le pays. Quand on considère le système politique de 1867, on s'aperçoit qu'il n'a pas été aussi bien organisé et équilibré qu'il aurait dû l'être. La nouvelle constitution n'a pas pourvu suffisamment à la liberté des croyances et au respect des droits acquis. Ce sont autant d'éléments de discorde et de mécontentement dont les pères de la constitution sont responsables. C'est mon humble opinion, M. l'ORATEUR, que dans un pays peuplé d'origines différentes, il n'y a qu'un moyen d'organiser la Gouvernement pour donner satisfaction à chacune de ces origines, ainsi qu'à toutes les croyances. Il faudrait trouver une base assez large, assez forte et assez élastique en même temps pour donner protection à toutes les croyances chrétiennes. Il faut à tous des droits égaux et une justice égale. La Province de Québec, grâce au caractère doux, pacifique et libéral du peuple Canadien-Français, a vu disparaître toute animosité et toute dissention, et il n'y a pas d'endroit sur ce vaste globle ou l'ordre et la paix règnent plus largement. Ontario a été pendant plusieurs années en proie, aux luttes et aux difficultés qui sévissent aujourd'hui au Nouveau-Brunswick. Cependant, à la fin, le bon sens pratique qui distingue la population d'Ontario a triomphé des préjugés et du fanatisme et a reconnu les droits de la minorité. Depuis ce moment les dissentions ont cessé, tout s'est calmé et la paix et l'harmonie son maîtresses de la situation. Pourquoi les résultats obtenus dans les grandes Provinces ne pourraient ils être obtenus dans la petite Province du Nouveau-Brunswick, si on lui appliquait le même système ? Lorsque ce système y prédominait, la paix et l'ordre y règnaient ; ce n'est que depuis que ce système a été rappelé que les dissentions, les désordres, les violences s'y sont introduits. C'est en vain qu'on nous dira que le système d'écoles communes n'offre aucun inconvénient aux catholiques. Il n'est pas nécessaire pour moi de définir la doctrine catholique à ce sujet. Si un tel système convient aux protestants, il ne convient pas aux catholiques. Que les protestants instruisent leurs enfants comme ils l'entendent, mais qu'ils ne cherchent pas à imposer et qu'ils n'imposent pas leurs vues aux catholiques qui, sur ce point, diffèrent avec eux du tout au tout. Je ferai observer à l'hon. député de Carleton, qu'en notre qualité de catholiques nous sommes tenus de faire donner une éducation catholique à nos enfants. C'est pourquoi nous repoussons tout système d'éducation ou un enseignement religieux différent est donné, ou qui est complètement dépourvu de toute notion religieuse. L'hon. député que je viens de nommer a accusé le député de Victoria de professer des doctrines révolutionnaires, parce qu'il demande un amendement à la constitution. Les doctrines révolutionnaires sont vraiment celles qui ont été produites en Europe par le système d'éducation proné par nos adversaires et qui produite le mépris de l'autorité, de la famille et de Dieu même. Que l'hon. préopinant visite les Etats-Unis et il verra que le vice s'y affiche effrontément, le meurtre y est à l'ordre du jour ; les crimes de toutes espèces y abondent et la corruption s'y développe d'une manière effrayante et gagne toutes les classes de la société. D'où cela provient-il, sinon d'un système d'éducation matérialiste, sans religion et sans Dieu.

L'hon. membre pour Carleton s'est écrié dans son exaltation temporaire que la proposition du député de Victoria nous ramenait à l'union de l'Eglise et de l'Etat rt à la suprématie de l'Eglise sur l'Etat. Je me permettrai de dire que l'Eglise ne eéclame pas de suprématie dans les questions politiques, mais que sa voix doit être écoutée dans toutes les questions qui la concernent, et comme l'a dit un des orateurs les plus distingués : " l'Eglise n'est pas une école d'oppression et d'injustice.

L'Eglise, sortie de la liberté, a procuré la liberté au monde, non à titre de privilége mais de droit certain. Et dans tous les temps, au milieu des plus grands obstacles comme au jour de ses plus beaux triomphes, l'Eglise s'opposant d'un côté au despotisme farouche, de l'autre au dévergondage populacier, a donné au monde la vraie liberté et l'ordre social. C'est ce qu'elle a fait en France, en Italie, en Allemagne, partout. C'est ce qu'elle fait aujourd'hui en demandant pour la minorité Catholique du Nouveau Brunswick la liberté accordée à la minorité protestante du Bas-Canada, ou à la minorité catholique d'Ontario. M. l'ORATEUR, la Chambre sait que je ne prends pas souvent la parole. Mais l'intérêt religieux de 1,500,000 âmes m'indique clairement l'attitude que je dois prendre sur cette question. Cette attitude

sera peut-être exploitée contre moi. On la fera voir sous un jour différent de la réalité, et l'on cherchera peut-être à la représenter injustement à mes constituants. Je désire donc expliquer le vote que je vais donner. On a dit que les écoles communes étaient une création libérale. Je veux le nier, car rien n'est plus contraire au libéralisme que la compulsion des écoles communes. Je respecte les opinions différentes des miennes et je crois qu'en cela aussi je me montre vraiment libéral. Car ma profession de foi est celle-ci : En politique je suis libéral, et en religion, je suis catholique. Je prétends qu'il n'y a pas d'incompatibilité entre le libéralisme politique et la foi catholique. Et quand je dis que je suis libéral, on me connait assez pour ne me pas confondre avec les prétendus libéraux de l'école radicale de l'Europe ; et ce que je dis de moi, je crois pouvoir le dire de tous les libéraux Canadiens-Français qui sont membre de cette Chambre. Maintenant, je dois dire à l'hon. député de Victoria qu'il a perdu un terrain immense depuis 1872. Alors il était dans une position formidable, et il est bien regrettable qu'après lui avoir mis la victoire dans ses mains, il n'ait pas voulu en profiter. Et quant aux résolutions qu'il propose aujourd'hui, j'y ai été favorable tant qu'un moyen plus facile, plus efficace, en même temps que plus modéré et plus conciliant n'a pas été trouvé pour arriver au même but. Je crois que nous aurions tort de repousser les amendements qui nous sont proposés, car il est de bonne tactique d'épuiser les moyens de conciliation et de persuasion. Je n'ai aucun doute qu'une telle demande est autant de nature à faire obtenir l'objet que nous avons en vue que topt autre moyen plus violent et plus risqué. Je crois même que notre demande sera mieux accueillie en Angleterre sous cette forme que sous toute autre. Mais ce moyen réussira-t-il ? C'est ce que je ne puis dire, je n'en sais rien. Mais il semble qu'il devrait se recommander à la gracieuse considération de notre souveraine. Au reste, si ce moyen ne réussit pas, je m'engage pour ma part, à ne pas être arrêté par le vote que je donne ce soir pour travailler ultérieurement à l'objet que nous cherchons tous. Si la question n'est pas réglée de cette manière, j'entends conserver ma parfaite liberté de revenir à l'assaut, et de voter à l'aaenir comme par le passé, de la manière dont ma conscience le dictera.

Mr. COSTIGAN said he was under obligation to the hon. member for Iberville, for having given him the opportunity of making a statement with reference to the accusation that had been made against him that he had not taken advantage of the Liberal vote in this House in 1873, asking for disallowance. The facts of the case were these, and the hon. member for Montreal East could bear him out. On that occasion he went into Room 11 with some gentlemen who were friends of the party now in power. There was no supporter of the then Government present except myself. He stated to them that the Government of the day, having refused to proceed further with the matter, he felt he was in a very delicate position ; but as he did not wish to be exposed to the taunt of having dropped this question in order to save the Government, he stated to these gentlemen that he was perfectly willing to go on, and he left it to them to say whether he should go on with it. A motion of want of confidence in the Government of the day was prepared ; and notwithstanding telegrams had been received ; notwithstanding it was thought advisable not to proceed any further, he was prepared to move that motion unless those gentlemen would take the responsibility of saying he should not do so. While he was on his feet he would say a few words with respect to the amendments. He must say that he regretted an adjournment of the debate had not been agreed to, because it might have led to an arrangement which would have been accepted without a division. There was one feature of this school question to which he had never yet alluded in the House, but which he must allude to to-night. In all the discussions which had taken place on this question hon. gentlemen had given him credit for avoiding any expressions offensive to those who differed from him in religion or in national views. He had one very great reason for speaking thus of the Protestants. When the School Act of 1871 was passed through the Legislature of New Brunswick, the Catholics were aided by the liberal Protestants to whom they owed a debt of gratitude. He was obliged to admit that it was through the truckling cupidity of some of the Catholics themselves that this Act was in existence at all. It had always been so. When they had ever failed to maintain their rights,

the failure could be traced to the want of truth and principle of some of the Catholics themselves. When the member for Montreal Centre was introduced in this House he (Mr. COSTIGAN) expected to find in him a protector and advocate of their rights, and views when the member for Montreal Center had so changed his views. No Protestant member could be condemned for declining to support his (Mr. COSTIGAN'S) motion when the member for Montreal Center, after warmly supporting it, had announced his intention to vote against it this evening.

Mr. MACKENZIE (Montreal West) The hon. gentleman is attributing to me an intention to vote in a certain way. I have not spoken on the subject to-night. I hold the same views I expressed last Monday and will vote in the way I then indicated.

Mr. COSTIGAN was glad to hear it. However, this did not alter the force of his argument, which was that when the member who was supposed to represent the views of the Montreal Catholics took such a course, the liberal Protestants could not be blamed if they abandoned the cause. The amendment of the hon. member for Quebec Centre, if accepted, would be added to the Premier's. If the amendment should then be adopted the Government and their supporters would go further than any political party in this House ever attempted to go. It was true Mr. GREY, formerly member for St. John, laid down the same proposition, but the House did not adopt it He hoped the House would not do so now. Putting aside this question, he asked hon. members if some question might not arise at some future day with which this House might wish to deal. Would it be wise to thus bind their hands so as to render them powerless in such matters for all time. The Government had determined upon settling this question forever, and they were doing so by driving the Catholics of New Brunswick from the only court where they could look for justice. It had been maintained by some hon. members that the adoption of this resolution would be a violation of the compact entered into by the Provinces. That compact was the Quebec resolutions, which guaranteed separate schools, and the amendment proposed was not to the resolutions, but to the British North America Act which was founded on them. The hon. member for Carleton asked whether he (Mr. COSTIGAN) had not taken advantage of the common schools of New Brunswick for his children. In his country the Catholics were in a small majority, though in the district in which he when the hon. gentleman raised his voice in loud tones last Monday night, and told the Government what the consequences would be if they attempted to crush out the motion before the House, he thought that the hon. member could be trusted. It was true, too much confidence should not be placed in those who waxed too warm in such matters. They soon cooled again. The Premier was one of those who avoided extremes, and always maintained the one tone. One reason why an adjournment should be granted, was to prevent the hon. member for Montreal Centre from rushing into a position which he must hereafter regret. The course of that hon. gentleman to-night was a complete reversal of the policy he had laid down last Monday night, and what was his excuse for the change? The real foundation of his explanation was, that unfortunately at that time he did not know what the intentions of the Government were. Was that the way in which hon. members of this House should arrive at a conclusion as to how they should frame their policy? There was as much evidence in the hon. member's speech of Monday night that he spoke his true sentiments on that occasion, as there was in his speech of this evening. Therefore, the principle was hardly a sound one that hon. gentlemen must first ascertain the views of the Government and then form their own opinions, or if, unfortunately, they should be so rash as to announce their own individual views, on learning the views of the Government, they must swallow their own. That was not sound doctrine. When he (Mr. COSTIGAN) gave notice of his motion this session, some of his friends said it was a forlorn hope, and that the only effect of it would be to create ill feelings. His answer was that if he thought it would have any such result he would withdraw it, but he had too much confidence in the liberality of the Protestant members to believe that such would be its effect. The speech of the hon. member for North Ontario and the support of other Protestant members representing

largely Protestant constituencies convinced him that his confidence was not misplaced. He did not change his views when he heard the hon. member for Montreal West declare his intention to support the Government motion. The hon. gentleman could not be blamed for changing his lived they were about half of the population. They had carried on the discussions on this question without quarreling or any great unpleasantness, and for three years he had been able to prevent the Act coming into operation in his country. However, ultimately the school law was forced upon them, and their separate school went down. What was his position then? He believed in separate schools, and he had children he wished to be educated. He sent his son to a Catholic institution at a distance, and one daughter to a convent, but he did not feel that his means would justify his sending all his family abroad; and having a school established under the law within easy reach, and which was presided over by a gentleman of high character, he thought it was better to send the rest of his children there than have them go without education. Of the two evils he choose this course, and he felt he did right, and he would do the same thing again under the same circumstances. But that could not be taken as an approval by him of the school law. He wished to ask the supporters of the Government what would be the result supposing the means now proposed should fail to produce the desired result. For his part he had very little faith in it. He believed HER MAJESTY'S advisers would regard this step as a desire on the part of this House to shirk a difficult question, and would therefore take no action in the matter. If he could have an opportunity of voting for the amendment of which the hon. member for Joliette had given notice he would do so. In the meantime he would vote against both amendments before the House. The course proposed might do for the present, but it would not he believed effect a permanent settlement. He held that the Government should have taken up this question as they did with the North-West question. With reference to this latter question, although he favored a complete amnesty he voted for the Government proposition, because he felt the Government had come half way; and he was sorry the Government had not taken a similar stand with reference to this question as there was as much necessity for doing something to promote peace and harmony in New Brunswick as there was in the North-West.

Mr. DEVLIN desired to offer an explanation in reply to the remarks of the hon. member for Victoria, who had made a most unjustifiable and unwarrantable attack upon him. That hon. gentleman knew the deep interest he had taken in the question before the House. He knew that he (Mr. DEVLIN) left Montreal under the most embarrassing circumstances, on receiving a telegram from the hon. member for Victoria to come up to take part in this discussion. That hon. gentleman had also been in communication with the members for Richmond, Halifax, Antigonish, Kings and Prince Edward Island. He would state to the House, in order to show how uncalled for this attack was, for he did not know the hon. member's motives, that the Irish Catholic members had met repeatedly to endeavor to arrive at a solution of this matter so as to be in agreement with the majority of the House, and record a vote which would really conduce to the interests of Catholics in New Brunswick. The member for Victoria was invited to join in the discussion and did so, and he was therefore entirely in the confidence of every Irish Catholic member. He desired to state to the House that he had the authority and advice of His Lordship the Bishop of New Brunswick for the course he had taken, and he regarded His Lordship as a higher authority than the member for Victoria, much as he respected the great ability he had displayed in the cause of Catholic education. He did not think, therefore, he was fairly open to the charge of inconsistency which the hon. gentleman had thought proper to hurl against him so recklessly when he simply declared in the House to-night that he would support a measure which he conceived, after discussion of the whole case, to be best calculated to attain the object which every honest-minded man would desire to see accomplished. He would state further, and he appealed to hon. gentlemen whose constituencies he had named, to correct him if he were in error, that it was expected that the hon. member for Victoria would withdraw his resolution, and that this was the under-

standing arrived at. But without a word of explanation the hon. member moved the adjournment of the debate, not deigning to inquire of a single one of his friends with whom he had been in consultation, and who were as much supporters of the Catholic interests as himself, as to the action he should take; but he did consult with the members of the opposition. If he were sincere in his desire to obtain the co-operation of his Irish Catholic fellow-countrymen was it not his duty to have come to him (Mr. DEVLIN), and say an adjournment on this question would be useful, and we will be able to discuss the matter further; but the hon. member did not do so. His experience was very limited in the House, but he was determined to do his duty honestly and conscientiously; and he appealed to the hon. gentlemen who occupied the Treasury Benches if it were not true that he refused to let them know how he would vote on this question before he entered the House that day. In order to obtain the best possible information on the subject he consulted those who were the most deeply interested in the spiritual welfare of the Catholics in New Brunswick, communicating with the Right Rev. Prelate of that Province, who had intimated to him (Mr. DEVLIN) that his opinion was that the resolution of the member for Victoria would fail to accomplish the object which they had in view, and therefore it was better to accept the next best alternative, namely: the amendment of the hon. member for Quebec Centre, in which he (Mr. DEVLIN) had confidence, and which he believed would lead to a happy solution of the painful question at present agitating his co-religionists in New Brunswick.

Mr. FLYNN could not give a silent vote on this question, more especially as he felt that he came within the scope of the remarks offered by the hon. member for Victoria. When that hon. member placed his motion on the notice paper he consulted the Catholic members from the Maritime Provinces. He (Mr. FLYNN) frankly stated that the most embarrassing position he found himself placed in was with regard to the constitutional difficulty, but he felt, after hearing the representation made that the Catholic minority of New Brunswick were laboring under serious grievances, that if any measures could be adopted to remedy those grievances it was his duty as a Catholic to give them his support. He, therefore, said that if no other alternative presented, he would vote for the motion of the hon. member for Victoria. That hon. member had said that if he failed it was from want of integrity among his own people; he presumed the hon. member meant the Catholic representatives in this House, for that was the only meaning that could be attached to his words. He (Mr. FLYNN) distinctly disavowed that sentiment. There was no want of integrity on his part, and he had the interests of the Catholics of New Brunswick as much at heart as the hon. member, even though he represented a constituency in that Province. Nor could he permit the allusion to pass unnoticed, that the hon. member for Montreal Centre was the only gentleman who had aided to defend the Catholic rights and interests. He (Mr. FLYNN) always felt it his duty as a humble representative of a constituency in Nova Scotia whenever he found those rights assailed, to defend them. The hon. member for Victoria had also applied the word hypocrisy towards some hon. members who had worked with him; and in all his intercourse with the hon. member for Victoria, he (Mr. FLYNN) was actuated by the most sincere and pure motives.

Mr. COSTIGAN denied that he had used the word hypocrisy in reference to any hon. member.

Mr. FLYNN said the hon. member used the word, but if it was intended to be applied in the sense indicated the explanation would be accepted. From the first, he gave the hon. member for Victoria credit for his efforts in seeking to remove the wrongs under which the Catholics of New Brunswick were laboring, and thought those acts were above party spirit. He felt that the hon. member was honest in his convictions; but to-night he felt that the hon. member was otherwise, and that he moved the adjournment of the debate to harrass the Government and the hon. members who were acting with them. The hon. member, although representing a constituency in New Brunswick, where the grievance existed, must admit that both Catholics and Protestants were willing to do all within their power to remedy the grievance. But suppose the motion of the hon. member passed and was sent to Downing street, what was the

result? The result would be worse than a nulity. The Government were, however, willing to support the amendment of the hon. member for Quebec Centre, asking HER MAJESTY, the QUEEN, to use her influence to remove the grievances complained of by the Catholics of New Brunswick. The hon. member for Victoria would have acted in a better spirit and more in the interests of those he desired to serve if he had accepted that amendment. Believing that it afforded the only practical solution of the difficulty he (MR. FLYNN) gave it his cordial support. Undoubtedly the hon. member for Victoria had manifested a warm interest in all efforts made to improve the position of the New Brunswick Catholics, nevertheless he must not arrogate to himself the credit of being the only earnest Catholic member in Nova Scotia. He (Mr. FLYNN) had always acted in their behalf, and whenever their interests were in jeopardy he had exhibited as much zeal in their cause as that hon. member, but he would never ask Parliament to do what was unreasonable and impracticable.

M. POULIOT :—Je dois dire que les amendements proposés me paraissent beaucoup plus efficaces que la motion du député de Victoria. Il y a certainement un changement pour le mieux dans le Nouveau-Brunswick, puisque le député pour la Chambre Locale du comté représenté par le député de Victoria, a été ré-élu, malgré qu'il eut voté contre la loi des écoles. Mais en votant pour l'amendement, je n'entends pas me lier, si ce moyen ne réussit pas, à ne rien faire de plus en faveur de mes co-réligionnaires du Nouveau-Brunswick. Au contraire, je ferai toujours pour eux et sous toutes circonstances, ce qui sera en mon pouvoir. M. l'ORATEUR, j'étais présent à l'enfantement de la Confédération. Il a été long, pénible, difficile. On sait ce qui s'est passé, par exemple, pour le Nouveau-Brunswick ; quel prix il a fallu donner à cet enfant gâté, qui a toujours été depuis l'enfant gâté de la Confédération, auquel on n'a cessé de prodiguer les cadeaux et tous les soins. Eh bien, on peut lui faire sentir qu'il est grand enfant maintenant, qu'il peut se soutenir seul, s'il veut se montrer trop revêche aux conseils de ses parents, et trop peu sensible au bon sens et à la justice. Je voterai pour l'adresse à SA MAJESTÉ afin d'obtenir justice, et si ce moyen ne réussit pas, nous tâcherons d'en trouver un autre.

Mr COSTIGAN said he would not repeat what had taken place in the committee room or in coversation between the hon. member for Montreal Centre and other friends whom he had consulted. He must set himself right, however, on one point, and it was to state that he never agreed, or allowed any member of this House, or any one outside of it to suppose, for a single moment, that it was his intention to withdraw his motion. He was not in the secrets of the Government and was therefore ignorant as to what amendment would be proposed. He, therefore, could not know whether it would prove a solution of the difficulty. He thought it unfortunate that the name of a high church dignitary had been drawn into the discussion, especially as he had been cited as an authority. He questioned whether the hon. member for Montreal Centre had permission or was authorised to adopt the course he had taken ; he had yet to learn that any hon. member could rise in his place and announce that any particular course in opposition to his motion was authorised and sanctioned by the high authority named. He thought it his duty to deny that such was the case.

Hon. J. A. SMITH said he thought it his duty, as a representative of New Brunswick, to offer a few observations upon this very important occasion. Personally he had no desire to discuss the merits or demerits of the New Brunswick School Law. He did not intend, nor was it his province, to discuss or defend any legislation on the part of the New Brunswick Legislature. That was the business of those who discharged the functions of making or amending the laws relating to that Province. Nor was it the business of this House to discuss the propriety or otherwise of laws passed by a Local Legislature, which were clearly within the constitutional jurisdiction of that body. There was no question that the New Brunswick Legislature had a perfect right to pass the School Law. It had been so decided by the highest court of this Empire, and having been so decided, this Parliament had no more right to deal with it than had the Legislature of New Brunswick to deal with questions appertaining exclusively to this Parliament. He had been much gratified and pleased at the tone of the speech of his hon. friend who had moved the original resolution before the House. It wa

characterized by prudence, good taste, and moderation. He (Mr. SMITH) could also bear testimony to the extreme moderation which had been characteristic of the hon. member when, for many years, they had been associated in the Parliament of New Brunswick. But while admitting all this, he could not help regretting extremely that one of the representatives of his own Province, one of his own colleagues, should feel called upon to ask this Parliament to strike down with ruthless hand one of the bulwarks of the Constitution of our Dominion, and deprive the people of the rights which were accorded them under it. If an hon. gentleman from anywhere outside of the Province had attempted such a thing, he could understand it. The power of regulating her own educational laws was one secured to New Brunswick by the compact of Confederation, it was one she possessed fully and completely before; and yet his hon. friend, in the name of religion, in the name of those whom he asserted to be persecuted, proposed that this House should do that which would be ignoring all Provincial rights. Did not the Constitution reserve rights for all the people—rights for the Catholics as well as rights for the Protestants? Why, then, did his hon. friend talk of the rights of the Catholics and ignore those of the Protestants? If the motion of his hon. friend were carried, and if it rectified what his hon. friend believed to be a wrong in New Brunswick, would it not open the way to greater wrongs than that it righted? he would set a precedent which was just as dangerous to the existing rights and liberties of Roman Catholics throughout the Dominion as it was to those of the Protestants of New Brunswick. On behalf of the 200,000 Protestants of New Brunswick, he entered his humble protest against the proposed interference with their rights. He was proud to say that he looked around this House and saw many of his Roman Catholic fellow-countrymen who admitted the justice of sustaining the rights and privileges of the Province of New Brunswick, who fully appreciated the danger of destroying the integrity of the Constitution, and who had independence enough to declare their sentiments before this House. He was himself no bigot, and had never been. He had the fullest sympathy with the Catholics. The hon. member for Terrebonne expressed himself in favor of sectarian schools; he (Mr. SMITH) had no hesitation in saying that he was not in favor of them. What would his hon. friend say if the rights secured to the Catholics of Ontario under the Constitution were proposed to be interfered with? He would certainly resist any such attempt, and he could tell his hon. friend that in that respect they would both be found voting together to support the Constitution, although in regard to separate schools their convictions were entirely opposite. He could tell his hon, friend that, while entertaining the very greatest respect for him, he thought the policy he was pursuing a dangerous one. Suppose, as an example, that his his hon. friend's policy in regard to the criminals of the North-West had prevailed, the result would have been that RIEL would to-day have been wandering an outcast upon the face of the earth, instead of being merely deprived of his rights for five years. He stated on behalf of the Protestants of New Brunswick and on behalf of some of the Catholics too, that they claimed the preservation of the Constitution in its integrity. They were a proud and spirited people, and would stand by their rights. They felt that the Province of Ontario was great and powerful, and being powerful they felt the utmost assurance that she (Ontario) would permit no injustice to be done to them. The proposition of his hon. friend to ask the Imperial Parliament to pass a School Law for New Brunswick was absolutely preposterous, and no result could come of it. The Legislature of New Brunswick was just now looking to this Parliament, having the utmost confidence that their rights would be respected.

The members were then (at 11-20) called in. The House divided on the amendment to the amendment, which was carried on the following division :—

YEAS :

Messieurs

Archibald,	Killam,
Aylmer,	Laflamme,
Bain,	Lajoie,
Béchard,	Landerkin,
Bernier,	Langlois,
Bertram,	Laurier,
Biggar,	Macdonald (*Cornwall*),
Blackburn,	Macdonald (*Glengarry*),
Blair,	Macdougall (*Elgin*),

Blake,
Borron,
Bourassa,
Bowman,
Boyer,
Brouse,
Brown,
Buell,
Bunster,
Burk,
Cameron (*Ontario*),
Campbell,
Cartwright,
Casey,
Casgrain,
Cauchon,
Charlton,
Cockburn,
Coffin,
Cook,
Cushing,
Delorme,
De St. Georges,
Devlin,
Donahue,
Dymond,
Fiset,
Fleming,
Flynn,
Fournier,
Frechette,
Galbraith,
Geoffrion,
Gibson,
Gillies,
Gillmor,
Gordon,
Greenway,
Hagar,
Hall,
Holton,
Horton,
Huntington,
Irving,
Jetté,
Jodoin,
Jones (*Halifax*),
Kerr,
McDougall (*Renfrew*),
McKay (*Cape Breton*),
Mackenzie (*Lambton*),
Maclennan,
McCraney,
McGregor,
McIntyre,
McIsaac,
Metcalfe,
Mills,
Mitchell,
Moss,
Murray,
Norris,
Oliver,
Paterson,
Pelletier,
Perry,
Pouliot,
Pozer,
Ray,
Richard,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Ryan,
Rymal,
Scatcherd,
Schultz,
Scriver,
Shibley,
Skinner,
Smith (*Peel*),
Smith (*Selkirk*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Haldimand*),
Thomson (*Welland*),
Tremblay,
Trow,
Vail,
Wilkes,
Wood,
Yeo,
Young—114.

NAYS:

Messieurs

Appleby,
Baby,
Barthe,
Borden,
Bowell,
Brooks,
Burpee (*St. John*),
Burpee (*Sunbury*),
Carmichael,
Caron,
Cheval,
Church,
Cimon,
Colby,
Costigan,
Coupal,
Currier,
Cuthbert,
Dawson,
Desjardins,
De Veber,
Domville,
Dugas,
Farrow,
Ferguson,
Ferris,
Flesher,
Forbes,
Fraser,
Gaudet,
Gill,
Goudge,
Haggart,
Harwood,
Hurteau,
Jones (*Leeds*),
Kirk,
Kirkpatrick,
Laird,
Lanthier,
Little,
Macdonald (*Kingston*),
McDonald, (*Cape Breton*)
McDougall (*Three Rivers*),
McKay (*Colchester*),
Mackenzie (*Montreal*),
Macmillan,
McCallum,
McQuade,
Masson,
Moffat,
Monteith,
Montplaisir,
Mousseau,
Orton,
Ouimet
Palmer,
Pickard,
Pinsonnault,
Plumb,
Pope,
Robitaille,
Rochester,
Roscoe,
Rouleau,
Sinclair,
Smith (*Westmoreland*),
Thompson (*Cariboo*),
Wallace (*Albert*),
Wallace (*Norfolk*),
White,
Wright (*Ottawa*),
Wright (*Pontiac*)—73.

Mr. MASSON regretted that the name of the venerated Bishop of St. John should have been dragged into this debate to influence the vote of members of this House. He might say he did not believe the hon. gentleman who had done so was authorized to say what he did state. The hon. member had entirely misunderstood the Bishop of St. John, and if he (Mr. MASSON) had wished to be as indiscreet as the hon. member, he might make a statement which would place the matter in an entirely different light.

Right Hon. Sir JOHN A. MACDONALD hoped Mr. SPEAKER would place on record his reasons for ruling the amendment offered by the hon. member for Joliette out of order.

A division was then taken on the Premier's amendment as amended, with the following result :—

YEAS:

Messieurs

Archibald,
Aylmer,
Bain,
Béchard,
Bernier,
Bertram,
Biggar,
Blackburn,
Blain,
Blake,
Borron,
Bourassa,
Bowman,
Boyer,
Brown,
Buell,
Bunster,
Burk,
Burpee (*St. John*),
Cameron (*Ontario*),
Campbell,
Cartwright,
Casey,
Lajoie,
Landerkin,
Langlois,
Laurier,
Little,
Macdonald (*Cornwall*),
Macdonald (*Glengary*),
Macdougall (*Elgin*),
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
Mackenzie (*Lambton*),
Maclennan,
McCraney,
McGregor,
McIntyre,
McIsaac,
Metcalfe,
Mills,
Mitchell,
Moffat,
Moss,
Murray,
Norris,

Casgrain,
Cauchon,
Charlton,
Cockburn,
Coffin,
Cook,
Cushing,
Delorme,
De St. Georges,
De Veber,
Devlin,
Donahue,
Dymond,
Ferguson,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Fréchette,
Galbraith,
Geoffrion,
Gibson,
Gillies,
Gillmor,
Hagar,
Hall,
Holton,
Horton,
Huntington,
Irving,
Jette,
Jodoin,
Jones (*Halifax*),
Kerr,
Killam,
Laflamme,
Laird,
Oliver,
Palmer,
Paterson,
Pelletier,
Perry,
Pouliot,
Pozer,
Ray.
Richard,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Ryan,
Rymal,
Scatcherd,
Schultz,
Scriver,
Shibley,
Skinner,
Smith (*Peel*),
Smith (*Selkirk*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Haldimand*),
Thomson (*Welland*),
Tremblay,
Trow,
Vail,
White,
Wilkes,
Wood,
Yeo,
Young—121.

NAYS:

Messieurs

Appleby,
Baby,
Barthe,
Borden,
Bowell,
Brooks,
Burpee (*Sunbury*),
Carmichael,
Caron,
Cheval,
Church,
Cimon,
Colby,
Costigan,
Coupal,
Currier,
Cuthbert,
Dawson,
Desjardins,
Dugas.
Farrow,
Ferris,
Flesher,
Fraser,
Gaudet,
Gill,
Gordon,
Goudge,
Haggart,
Harwood,
Hurteau,
Jones (*Leeds*),
Kirk,
Kirkpatrick,
Lanthier,
Macdonald (*Kingston*),
McDonald (*Cape Breton*)
McDougall (*Three Rivers*)
McKay (*Colchester*),
Mackenzie (*Montreal*),
McMillan,
McCallum,
McQuade,
Masson,
Monteith,
Montplaisir,
Mousseau,
Orton,
Ouimet,
Pickard,
Pinsonneault,
Plumb,
Pope,
Robitaille,
Rochester,
Rouleau,
Thompson (*Cariboo*),
Wallace (*Albert*),
Wallace (*Norfolk*),
Wright (*Ottawa*),
Wright (*Pontiac*)—61.

Mr. BABY moved in amendment that all the words after "that" in the said amendment be struck out, and the following substituted:—"That this House regrets that the position of the Roman Catholic minority in the Province of New Brunswick, with regard to their educational rights, is such as to cause uneasiness to a large portion of HER MAJESTY'S subjects in the Dominion; that this House is of opinion that any legislation which will restore harmony among persons professing different religions, and remove any feeling of uneasiness now existing among any portion of HER MAJESTY'S subjects is greatly to be desired; that by resolutions passed by the House of Commons on the 30th May, 1872, it was regretted that the School Act recently passed in New Brunswick was unsatisfactory to a portion of the inhabitants of that Province and hoped that it would be so modified as to remove any just ground of discontent; that this House re-affirms the spirit of said resolutions and regrets that the priviliges enjoyed at the time of the Union, by the Roman Catholics of New Brunswick, in respect of religious education in the Common Schools were not secured to them by the British North America Act; that therefore an humble Address be presented to HER MAJESTY the QUEEN embodying these resolutions and praying that she may be pleased to take such steps as will lead to the legislation necessary to secure to the Roman Catholic minority of New Brunswick the same rights, privileges and advantages with respect to schools and the same exemption from taxation for the support of public or common schools as are now respectively enjoyed and possessed by the Roman Catholic minority in Ontario and the Protestant minority in Quebec."

Mr. SPEAKER ruled that the House having ordered that the amendment moved by the hon. member for Quebec should be part of the motion, it was not competent to move another motion striking out those words.

The question then being on the main motion as amended, the House divided, when it was carried on the following division:—

Yeas:

Messieurs

Archibald,
Aylmer,
Lajoie,
Landerkin,

Bain,
Bèchard,
Bernier,
Bertram,
Biggar,
Blackburn,
Blain,
Blake,
Borron,
Bowman,
Boyer,
Brouse,
Brown,
Buell,
Burk,
Burpee (*St. John*),
Cameron (*Ontario*),
Campbell,
Cartwright,
Casey,
Casgrain,
Couchon,
Charlton,
Cockburn,
Coffin,
Cook,
Cushing,
Delorme,
De St. Georges,
De Veber,
Devlin,
Donahue,
Dymond,
Ferguson,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Frèchette,
Galbraith,
Geoffrion,
Gibson,
Gillies,
Gillmor,
Hagar,
Hall,
Holton,
Horton,
Huntington,
Irving,
Jetté,
Jodoin,
Jones (*Halifax*),
Kerr,
Killam,
Laflamme,
Laird,
Langlois,
Laurier,
Little,
Macdonald (*Cornwall*),
Macdonald (*Glengarry*),
Macdougall (*Elgin*),
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
Mackenzie (*Lambton*),
Maclennan,
McCraney,
McGregor,
McIntyre,
McIsaac,
Metcalfe,
Mills,
Mitchell,
Moffat,
Moss,
Murray,
Norris,
Oliver,
Palmer,
Paterson,
Pelletier,
Perry,
Pouliot,
Pozer,
Ray,
Richard,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Ryan,
Rymal,
Scatcherd,
Schultz,
Scriver,
Shibley,
Skinner,
Smith (*Peel*),
Smith (*Selkirk*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Haldimand*),
Thomson (*Welland*),
Tremblay,
Trow,
Vail,
Wilkes,
Wood,
Yeo,
Young,—119.

Nays:

Messieurs

Appleby,
Baby,
Barthe,
Bowell,
Brooks,
Burbee (*Sunbury*),
Carmichael,
Caron,
Cheval,
Cimon,
Colby,
Costigan,
Coupal,
Currier,
Cuthbert,
Dawson,
Desjardines,
Dugas,
Farrow,
Ferris,
Flesher,
Fraser,
Gaudet,
Gill,
Gordon,
Goudge,
Haggart,
Harwood,
Hurteau,
Jones (*Leeds*),
Kirk,
Kirkpatrick,
Lanthier,
Macdonald (*Kingston*),
McDonald (*Cape Breton*),
McDougall (*Three Rivers*)
McKay (*Colchester*),
Mackenzie (*Montreal*),
Macmillan,
McCallum,
McQuade,
Masson,
Monteith,
Montplaisir,
Mousseau,
Orton,
Ouimet,
Pickard,
Pinsonneault,
Plumb,
Pope,
Robitaille,
Rochester,
Rouleau,
Sinclair,
Thompson (*Cariboo*),
Wallace (*Albert*),
Wallace (*Norfolk*),
Wright (*Ottawa*),
Wright (*Pontiac*)—60.

Hon. Mr. CAUCHON moved that a select committee be appointed composed of Messrs. BLAKE, JETTE, FLYNN, JONES, GILLMOR, LANGLOIS, and the mover to draft an address to HER MAJESTY founded on the said resolution.

Mr. COSTIGAN moved in amendment: "That the said committee be authorized in drafting the address to include the following: That this House reserves its right to seek by an address to HER MAJESTY, an amendment to the British North America Act, should the present address prove insufficient to bring about an amendment to the New Brunswick School Law, satisfactory to the minority of that Province."

Mr. SPEAKER ruled the amendment out of order, on the ground that the address could only be based upon the resolution adopted by the House.

Hon. Mr. CAUCHON, from the committee, reported an address based upon the resolution, which was adopted and engrossed.

Hon. Mr. CAUCHON moved that an address be presented to HIS EXCELLENCY requesting him to transmit the address to HER MOST GRACIOUS MAJESTY, to be laid at the foot of the throne.—Carried.

The House then adjourned at 2.45 A. M.

HOUSE OF COMMONS,

Thursday, March 11th, 1875.

The SPEAKER took the chair at three o'clock.

BILL INTRODUCED.

Mr. JETTE introduced a Bill establishing new dispositions for the organization and administration of Building Societies in the Province of Quebec.

GOVERNMENT NOTICES OF MOTIONS.

Hon Mr. CARTWRIGHT moved for a Committee of the Whole, for to-morrow, to consider certain resolutions, to increase the salaries of the Civil Service of Canada, as provided in the "Act respecting the Civil Service of Canada."

Hon. Mr. SMITH (Westmoreland) moved for a Committee of the Whole, for to-morrow to consider the expediency of transferring the powers and authorities of the Trinity House of Quebec to the Quebec Harbor Commissioners, with the property of the said Trinity House, except the Decayed Pilot Fund, which shall be transferred to the Corporation of Pilots, for and below the harbor of Quebec; and of amending the Constitution of the corporation of the said Harbor Commissioners.

Hon. Mr. MACKENZIE moved that the House shall meet for the remainder of the session on Saturdays at three o'clock, and that the measures of the Government shall have precedence on the Orders of the Day.—Carried.

REPORTING OF MR. PLUMB'S SPEECH.

Sir JOHN A MACDONALD said he desired before the Orders of the Day were called to direct the attention of the First Minister, and also the chairman of the Printing Committee, to a matter connected with the reporting of the debates. Yesterday the hon. member for Niagara spoke for an hour, and his speech was replete with argument and exceedingly interesting to those who followed him; and it was observed that the reporters did not take down a single word—did not use their pencils during the whole time he was speaking. It was not to be borne that the official reporters should be the judges of what addresses should be reported or not.

Hon. Mr. MACKENZIE—Of course, the hon. gentleman does not attribute any responsibility to me in this matter.

Sir JOHN A. MACDONALD—No.

Hon. Mr. MACKENZIE said he had been too busy to read the reports and could not say who was well or who was ill reported. He thought it inexpedient that the Government of the day should have any control over the reporting of the debates. It was a matter for the House to deal with, and the House had referred it to the Printing Committee. The chairman of that committee had called upon him to-day with reference to making arrangements for next session; and he (Mr. MACKENZIE) had stated that the question would have to be brought before the House so that they could order such arrangements as they thought best. It was important that such measures should be taken as would secure a perfectly faithful and impartial report of what was said on both sides of the House; and he regretted exceedingly if the hon. member for Niagara had not had justice done him.

Sir JOHN A. MACDONALD said he quite agreed that it was inexpedient that the Government should interfere with the reporting of the debates, and he had not alluded to the hon. gentleman in his capacity of leader of the Government. He trusted that the Chairman of the Printing Committee would see that every hon. member got fair play in the reports, and that there would be no necessity of referring to this matter again.

Mr. DYMOND, in the absence of the Chairman of the committee, to whom the report of the debates had been referred, and as a member of that committee, said the committee did not conceive it to be their duty to assume any responsibility with regard to the taking of the reports. The editor was of course responsible to the committee, and through the committee to the House, for the due discharge of his duties, but the committee could not be expected to give instructions as to what speeches should be reported at length and what should be condensed.

Sir JOHN A. MACDONALD agreed that the Committee could not be held responsible with respect to the exact length of the speeches, but somebody must be responsible, and it was specially important to the minority that their speeches should be faithfully reported. Of course some discretion must be left to the editor, but it was one thing to condense a speech and another thing for the reporters to lay down their pencils and refuse to report a single word.

Hon. Mr. MACKENZIE said that no doubt this conversation would direct the attention of the committee and of the editor to this matter. For his part he hoped the speech of the hon. member for Niagara last night would be faithfully reported.

Mr. ROSS (West Middlesex) explained that the editor was responsible for a fair and impartial report of the debates, and he had been informed that such a report of the speech of the hon. member for Niagara had been taken.

Hon. Mr. HOLTON called attention to the fact that the hon. member for Niagara had not offered any motion, and he doubted very much whether any faithful report of the proceedings of the House could be made unless the subject matter under discussion was made to appear.

Sir JOHN A. MACDONALD said it was customary for members in introducing a subject to make a speech and conclude with a motion, and the mere fact that six o'clock came while the hon. gentleman was speaking, and before he had handed in his motion, could certainly not require him to repeat his speech in order that it might be reported. With regard to the statement of the chairman of the Printing Committee that the speech of the hon. member for Niagara was reported he could only say it must have been done from memory or imagination for certainly the reporters did not take it down at the time.

Mr. DYMOND observed that the hon. gentleman had referred to the importance of the minority being reported. He thought it would be admitted that in proportion to their numbers they had taken up a very large space in the reports of the debates. As to the statement that the reporters had taken no notes of the speech of the hon. member for Niagara, those who were acquainted with the business of reporting knew how few notes it took to make up a long report.

LACHINE CANAL—ENLARGEMENT.

Mr. KIRKPATRICK moved an address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all correspondence, letters or telegrams between the Government and the proprietors of land in the vicinity of the proposed enlargement of the Lachine Canal from 1st March, 1874, to the 1st March, 1875; also, all orders given to engineers as to information to be given to such proprietors and all requests for information made to the Government or engineers, and all reports made to the Department of Public Works between above dates, relating to the right of way requisite for enlargement of Lachine Canal. He said in making this motion he deemed it almost unnecessary to state that he was not actuated at all by any personal motive. In the reports spread through the newspaper press, the names of certain public men mentioned in connection with these lands and insinuations made, which, if untrue, should be put down, and their falsehood exposed at the earliest possible moment. The characters of our public men did not belong to one side of the House or the other, but to the whole country, and it was desirable for these reasons that the papers should be brought down, and the House should have some authentic and official statement of what had taken place. It was for this reason he felt it his duty to make this motion.

Mr. JETTE thanked the hon. member for Frontenac for putting this motion on the notice paper, and also for moving it to-day, in order to better suit his (Mr. JETTE'S) convenience. He believed as the hon. member did that the good reputation of our public men was the measure of their usefulness, and this would be his excuse for feeling so sensitive with regard to the charges made against him. When this matter was first brought before this House, he deemed it his duty to give a distinct denial to the charges made against him, especially as regards that which appeared in the French papers of Quebec. That charge was that in this purchase of property in Montreal, he had used his influence to become acquainted with some of the designs of the Government as to the enlargement of the Lachine Canal, and so to secure for himself and his associates a good speculation. This he denied; and this denial he was ready to repeat to-day. He believed it was his privilege and duty to put the entire case before the House in order that no imputation might go before the public without meeting with such a correction as he could offer. This property was purchased about the month of April, 1874. In September he decided to sell it as soon as possible at auction, and as it was perfectly well known by the public in general that the Lachine Canal was to be enlarged, or that some works were to be executed in order to construct a new canal at this point, he believed it was his duty to inform the Government of the proposed sale, in order that they should take such proceedings as they deemed advisable to expropriate our property if necessary, and so pro-

tect the public interests. The following was a copy of the letter he then addressed to the Minister of Public Works, for the reading of which he had obtained that hon. gentleman's permission :—

"MONTREAL, 17th September, 1874.

Hon. ALEX. MACKENZIE,
Minister of Public Works, Ottawa.

SIR,—The undersigned proprietors of a tract of land, one mile long, on the Lachine Canal, near Montreal, are desirous of securing from the Government the privilege of establishing on their said property one or two basins, and also one or two water powers. The water powers, they understand, could probably not be granted, except in the event of the widening of the canal, but the undersigned would like to secure them, even under such a condition ; and on such terms as the Government would deem reasonable. This property runs from the Grand Trunk Railway bridge up to the Cote St. Paul road, and the Cote St. Paul lock is just opposite part of it, so that it affords the very best opportunity for the establishment of such water powers, as also does the little River St. Pierre, which runs in rear of said property, and might serve for the discharge of the waters to be used. We enclose for reference a plan of the above mentioned property. We beg leave also to mention that our intention is to sell at auction a considerable portion of this property in lots, as soon as possible, probably in a few days, and as we are informed that the Government will require a strip of this land for the widening of the Canal, it might be found more convenient, if the widening is to take place, te expropriate one proprietor only, instead of having to deal with one or two hundred owners. As this sale would, therefore, increase and multiply considerably the costs and trouble of expropriation, we thought it only just to draw the Government's attention to this fact in order to give it full opportunity of avoiding such increase in costs, and of taking such action that might be found proper under the circumstances."

"We have the honor to be,
Sir,
(Signed,) R. LAFLAMME,
J. L. CASSIDY,
L. A. JETTE."

This was the only letter addressed by the proprietors of the land to the Government. In answer to it they received the following, dated the 7th October, only three days before the sale, which was advertised for the 10th of the same month :—

"OTTAWA, Oct. 7, 1874.

SIR,—Referring to that part of your letter of the 17th ult., signed conjointly by yourself and others, offering to sell to the Government a strip of land for the use of the proposed new line of Lachine Canal between the Grand Trunk Railway Bridge and the Cote St. Paul Road, I am directed to inform you that the Chief Engineer, to whom the matter was referred, reports that a space of at least from 225 to 250 feet in width will be required for the new canal at the place above mentioned. I take this opportunity to say in regard to the other subject matters referred to in your letter that they are still under consideration.

I have the honor to be,
Sir,
Your ob't. servant,
(Signed), F. BRAUN,
Secretary."

L. A. JETTE, Esq.,
&c., &c., &c.,
Montreal,

He might remark that the expression with regard to the sale of the land was not correct. As would be seen by his letter there was no offer to sell any property to the Government. He knew this land could not properly be bought at private sale—that it would have to be expropriated, and they only pointed out to the Government the way in which they thought the property could be secured. Before addressing this letter to the Government, and before receiving the answer to it, the proprietors of the land had offered at private sale some of the lots indicated on the plan of the property. Some of them had been sold—a very few, because they reserved the greater part for sale by auction, and brought the very price obtained for them at the public auction, that was to say, before they gave notice to the purchasers that they had received such public information from the Government. The sales made were exactly at the same price that was obtained after the information was given. He might state for instance that Mr. FURNISS purchased a lot for $6,000. This sale was not made at the auction, but at least fifteen days before it. When this sale took place the public of Montreal, and he supposed the public in general, was taken a little by surprise by the great success that they had. But those who knew something of the immense rise in property at Montreal during the past few years would realize the fact. He would take the liberty to mention to the House that a year before—in July, 1873—he bought another property in Montreal, at the east instead of the west end of the city, at Hochelaga, and paid for it $110,000. Two months after—in

September, 1873—he sold half that property for $210,000, thus realizing twice the purchase money by the sale of only half the property. Now, in this speculation of the Lachine Canal the success was exactly the same. Six months before he paid for the property $210,000, and sold a little more than half of it for about $500,000. The public would therefore not be surprised at the success of this second speculation, as it was not better than the first one. In the opinion of every one in Montreal, this property on the Lachine Canal was in a much better situation, as property was more valuable at the west end than at the east end of the city. The accusations that had been brought against him as he had stated were resumed in the Ottawa *Citizen*. The first statement was that on the 17th of April the property was purchased ; the second, that on the 18th of April the report was made by the Minister of Public Works foreshadowing the probability that some of these lands would be required by the Government. On these two points he did not believe that any evidence of the sincerity of his dealings with the Government need be offered. If the hon. gentleman who moved for these papers was not satisfied with his explanation, he might move for a committee to investigate the matter, and he (Mr. JETTE) would show that there was no foundation whatever for this accusation. The other charge was this :—That he gave afterwards public notice in the Montreal *Herald* of information that he had from the Government, and that this raised the price of the property to a fearful amount. The fact was that before receiving this answer from the Minister of Public Works to his letter he had published the conditions of the sale, and advertised the sale according to the information they had at the time. Having received no answer at that time they could not have informed the public as to what had been decided upon. But as soon as ever the information was received from the Government that a strip of land would be required, it was stated in the conditions of sale, which were as follows :—The proprietors of the land would not keep for themselves, but would keep for the purchasers the chance of any advantage to be derived by the expropriation. In the meantime in order to keep faith with the Government, and not to multiply the cost of expropriation, he stipulated that although the purchasers would be entitled to any indemnity the Government should offer for the lots expropriated, we would remain proprietors of the land expropriated for the purpose of passing the title to the Government. The whole amount paid was to be for the benefit of the purchasers. The conditions were as follows :—

"10. The property is commuted.

"20. The land sold on the canal is bounded in front by a strip of ground from about 225 to 250 feet deep measured from the actual line of the Government Property, such reserve being made for the widening of the Lachine Canal. The precise depth of this reserve shall be determined by the vendors or by the Government before the passing of the deeds. Up to the date of expropriation the purchasers shall have the right of communication with the canal through this reserve. Nevertheless if the purchasers should prefer buying these lots in their full depth, they can do so, on giving their option at the time of the adjudication ; however, even in such case, the vendors shall remain proprietors for the purpose of expropriation, in this sense that all proceedings for such purpose shall be made against them alone, but the indemnity granted shall be for the benefit of such purchasers."

He believed the proprietors dealt fairly with the purchasers, who obtained the fullest information in the possession of the proprietors. There was no secret in regard to the matter. The public advertisements stated that the proprietors had received certain information which was afforded, and the purchasers ran the chance of appropriation taking place. The fourth charge contained in the newspaper article was that a public sale of the land in question had taken place, but no purchasers had registered their deeds. The gentleman who had written the article was evidently not well informed of the facts because if he remembered rightly four or five purchasers had registered their deeds, among whom was Mr. VICTOR HUDON, a well known merchant at Montreal, and a Conservative, whose purchase amounted to $163,000, and who had passed his deed and made the first payment according to the terms of the sale. The last accusation was that the prices asked by the proprietors for their lands was afterwards arranged according to the auction sale tariff. He entirely denied that charge. There never was an application made by the Government to sell the land ; he knew from the position he occupied that he

would not be justified to sell at private sale any portion of it to the Government; and he knew perfectly well there was a public law on the statute book which required that when in such cases land was required by the Government it must be expropriated; and he relied upon this alone. In that very paper would be found the testimony of a man who could not be accused of partiality in his (Mr. JETTE'S) favor, because he, having purchased lots to an extent he did not immediately realize when he became a purchaser, decided afterwards to make every effort to get out of the bargain if it was possible. That gentleman had afterwards instituted an action against him (Mr. JETTE) and his associates to have the sale cancelled, and that gentleman alleged exactly what he (Mr. JETTE) had stated, that there was no understanding between the proprietors and the Government, and it was on this very ground he asked for the sale to be cancelled. The allegations of the plaintiff were these:—

"That before the said auction sale, or since, the said Defendants never arranged, directly or indirectly, with the Government of Canada, concerning the enlargement of the Lachine Canal, on the side of the said property, and through the said reserve, as aforesaid, or otherwise.

"That in fact, said Government has not yet adopted any plan concerning the enlargement of said Canal, and has not decided as to the enlargement of said Canal, or the construction of a new canal at a distance from the actual one

"That the said reserve was not made with a view of providing for the widening of the said Canal, the said Defendants having no understanding whatever with the said Government for the purposes aforesaid, or any purpose whatever connected with the said Canal, or its enlargement."

This was the best answer that could be given by the best witness, because he was the witness most interested against him (Mr. JETTE.)

Mr. KIRKPATRICK was satisfied the House would be gratified by the full and frank statement made by the hon. member for Montreal East. He wished, however, the hon. member, and the House, to understand that he made no charge against the hon. member. He had never seen the paper referred to, and did not know that such charges had been published. He observed by the report of Mr. PAGE that the owners of the lands had put them up to a very high price. He assured the House that it was not with a view to making charges against the hon. member that he brought forward this motion, and if the papers were brought down they would show no doubt that the hon. member was justified in what he had done.

The motion was carried.

THE POSTAL SERVICE.

The House again went into Committee on the Bill to amend the Act for the regulation of the Postal Service: Mr. JETTE in the chair.

The 91st clause was amended by adding the following:—"Except only in so far as they relate to the rates of postage on newspapers and periodicals sent to the United States as to which they shall come into force on the first May now next.

Hon. Mr. MITCHELL stated that he did not intend to move the adoption of free postage on newspapers, of which he had given notice, because, although he was satisfied that such a scheme would be in accordance with the general sentiment of the House, it would be useless to move an amendment to that effect when the Government had announced that they would oppose it.

The Bill was read the third time and passed.

SICK AND DISTRESSED MARINERS.

Hon. Mr. SMITH moved the reception of the report of the Committee of the Whole on the resolutions to amend the Act 31 Vict., Cap. 64, respecting the treatment and relief of sick and distressed mariners.

Hon. Mr. MITCHELL said he hoped the hon. Minister of Marine and Fisheries would alter the resolutions so as to place steamers on the same footing as sailing vessels.

Hon. Mr. SMITH—They are.

Hon. Mr. MITCHELL—Not exactly. The tax was required to be paid three times a year, and the hon. gentleman had stated that sailing vessels landed only about twice a year, therefore only paid twice a year, while steamers landed much oftener.

Hon. Mr. SMITH said steamers landed on our shores a much larger number of sick and distressed mariners than did sailing vessels.

Hon. Mr. MITCHELL remarked that his impression was quite the contrary.

The resolutions were then concurred in.

Hon. Mr. SMITH introduced a Bill to amend the Act 31 Vict., Cap. 64, respecting the treatment and relief of sick and distressed mariners.

THE IMMIGRATION ACT.

The House went into Committee to consider certain proposed Resolution to authorize the collection of duty in certain cases, from the masters of ships carrying passengers or emigrants from any port in Europe to any port in Canada:—Mr. WHITE in the chair.

The Committee rose and reported the resolutions which were read a first and second time and concurred in.

The House went into Committee on the Bill to amend the Immigration Act of 1872:—Mr. WHITE in the chair.

The Committee reported the Bill without amendment and it was read a third time and passed.

PENITENTIARIES.

The House went into Committee to consider certain proposed Resolutions respecting the salaries proposed to be paid to the officers mentioned in Bill respecting Penitentiaries, and the inspection thereof:—Mr. De St. GEORGES in the chair.

The Committee reported the Resolutions, which were read a first and second time and concurred in.

The Bill respecting Penitentiaries, and the inspection thereof, was read a second time, and the House went into Committee on it:—Mr. De St. GEORGES in the chair.

Sir JOHN A. MACDONALD said he noticed that one inspector was to be appointed under this Bill instead of three as at present. He wished to know if this inspector would be required to perform the same duties as the three now did.

Hon. Mr. FOURNIER said the Bill did not include British Columbia or Manitoba. The duties which the inspector would have to perform were not so extensive as at present, as the building and repairs of penitentiaries would now be under the Department of Public Works. There were now only four penitentiaries, and there would soon be only three, as it was proposed to have only one penitentiary for New Brunswick, Nova Scotia, and Prince Edward Island. The inspector would only be obliged to make the inspections yearly, unless directed by the Minister of Justice to make other visits of inspection.

Sir JOHN MACDONALD said the only opinion he had expressed on the matter was when the Penitentiary Bill was under discussion in the House, when he stated it was to a certain degree experimental. While he quite understood that no individual interest should stand in the way of the public policy of the Government, he hoped they would show some consideration to the gentlemen who would be deprived of their offices by this measure.

Hon. Mr. MACKENZIE said the Government found very great disorder was occurring through duties being assigned to the inspectors and which they were not competent to perform. On one occasion he found to his dismay they had assumed the right to purchase some $3,000 worth of lumber and articles of that kind, the great bulk of which was useless and was now piled up at the institution in Montreal. Other matters of that kind had occurred not intentionally, but because the inspectors were not competent for such duties, and it became quite evident to the Government that firmer hands must deal with these matters. It would be in the memory of Ontario members at least that while there were four inspectors in old Canada they inspected all the jails, penitentiaries and other public institutions. After the Confederation Act was passed the Province of Ontario, under the economical but wise arrangement of the leader of the Government, SANDFIELD MACDONALD, decided to have only one inspector and any one who had seen that gentleman's reports could see to what state of efficiency they had been brought under his control. The economy in provisioning all jails, and in the management of lunatic asylums, and supervision over all institutions receiving aid from the Government showed that he was able to exercise very efficient supervision over the 50 or 60 institutions in the Province, and they were really in very much better order than Dominion institutions with their three inspectors. He (Mr. MACKENZIE) never had any doubt that one thoroughly efficient officer would do the duties much better than three. As to the matter mentioned by the hon. member of

showing consideration to those who by the operation of this Act would be deprived of situations, the Government would be bound to consider what would have to be done in such a case, having regard of course to the public interest.

The clause was passed.

On the 36th clause relating to convict labor,

Sir JOHN A. MACDONALD asked if the Government had any policy as to letting out convict labor by contract. The present authorities disapproved very generally of this system.

Hon. Mr. MACKENZIE said the Government had not decided upon any policy. Some tenders had been received up to a recent time, but had not been accepted for the reason that the Government were to consider, when the House rose, what was to be done in this matter. A great deal had been said on the care exercised by the contractors. The system worked well at the Central Prison at Toronto, but was liable to interruption from the failure of contractors or some cause in the business that might interrupt the whole work of the prison. In that respect perhaps it would be better if the Government were to adapt prison labor to such works as they could. The whole subject was to be reviewed by the Government after the session.

Sir JOHN A. MACDONALD was glad to hear the statement of his hon. friend. He believed the prison labor could be made profitable under proper surveillance if the right contractors could be found; but no amount of supervision could prevent some contractors from interfering with the moral improvement of the prisoners by giving them tobacco and spirits as a bribe to greater exertions in working. While it was important that the prisoners should be made to sustain themselves, it was still more important that they should be reformed if possible.

Hon. Mr. MACKENZIE said he had an idea, which was not yet clearly defined, of employing the labor of convicts in carrying on the public works of the country. It was quite possible they might be able to manufacture the greater portion of the rolling stock required on the great railroads about to be constructed. That was one reason why he desired to locate the prisons in the Lower Provinces on some convenient place on the Intercolonial Railway; but nothing had yet been decided upon by the Government.

The section was carried.

The Committee rose and reported the Bill. Report was received.

MR. PLUMB'S SPEECH.

Hon. Mr. MACKENZIE said before recess he desired to call attention to the remarks of the hon. member for Kingston regarding the report of Mr. PLUMB'S speech. He (Mr. MACKENZIE) had always found reporters eminently fair where they were not directed by some parties in the interests of particular newspapers. There was an *esprit de corps* amongst all reporters that dictated fair reports, and hon. members must often have felt greatly indebted to the reporters for improving their speeches. In this particular speech it so happened that the reporters had taken a verbatim report of every part of Mr. PLUMB'S speech. He (Mr. MACKENZIE) could not conceive how it came to be stated that there was no report of it taken. The editor of the *Hansard* had sent him a copy of the report, and if the hon. member for Niagara could see the manuscript, he would no doubt find that his speech had been accurately reported. No time should be lost in correcting the erroneous impression that the reporters had been unfair towards Mr. PLUMB. It would, he was sure, be as gratifying to the hon. member from Kingston as it was to himself to learn that there was no ground for complaint against the reporters.

Right Hon. Sir JOHN MACDONALD said he had received a letter from the editor of the *Hansard* stating that a full report had been taken of Mr. PLUMB'S speech. He (Sir JOHN) had nothing more to say, but he might explain that his attention had been called, while the debate was going on, to the fact that the reporters at the table had not even pencils in their hands. The fact was noticed by at least twenty gentlemen on the Opposition side of the House. He was surprised to learn that a full report had been taken, though no mortal hand was employed in the work at the table, during the whole hour the hon. gentleman was speaking.

Mr. MILLS mentioned the fact that only one reporter took notes at a time, though there were generally two or three

seated at the table. The hon. member for Kingston should not have made a complaint until the *Hansard* of that evening was published, when it would be seen whether there was ground for it.

At six o'clock the House rose for recess.

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AFTER RECESS.

CERTIFICATES TO MASTERS AND MATES.

Hon. Mr. SMITH moved the House into Committee to consider the following resolutions :—

1. That it is expedient so to amend the Act respecting certificates to masters and mates of ships as to make it apply to ships over eighty tons register, and to ships going to sea on a voyage to any port or place out of Canada.

2. That it is expedient to make provision for the examination of masters and mates of inland and coasting ships, as regards ships of over eighty tons register, and voyages commenced after the first day of April, 1876.

The House went into Committee:—Mr GIBSON in the chair.

Hon. Mr. SMITH, in reply to Mr. WOOD, said that the Bill would apply to steamships as well as sailing vessels.

The Committee having reported the resolution,

Hon. Mr. SMITH introduced a Bill founded thereon, intituled : " An Act to amend the Act respecting certificates to masters and mates of ships."

The Bill was read the first time.

ADMINISTRATION OF JUSTICE.

On motion of Hon. Mr. FOURNIER, a Bill intituled " An Act for the more speedy trial before police and stipendiary magistrates, in the Province of Ontario, of persons charged with felonies or misdemeanors," (from the Senate) was read the second time.

The Bill then went through Committee, was read the third time and passed.

CENTRAL PRISON, ONTARIO.

On motion of Hon. Mr. FOURNIER, the Bill to make further provisions respecting the Central Prison for Ontario was read a second time, and referred to the Committee of the Whole:—Mr. DYMOND in the chair.

The Committee reported the Bill, and it was read a third time and passed.

SPEEDY TRIALS.

On motion of Hon. Mr. FOURNIER, the Bill for the more speedy trial before police and stipendiary magistrates, in the Province of Ontario, of persons charged with felonies or misdemeanors was read a second time, and referred to the Committee of the Whole :—Mr. TROW in the chair.

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

COPYRIGHTS.

Hon. Mr. MACKENZIE moved the second reading of the Bill from the Senate, respecting copyrights. He said it was known that the Royal assent was refused to the Bill passed two years ago, on account of representations made by authors and publishers in England. During the recess he had interviews with some delegates representing English authors and publishers, and with several English authors, and he had received a draft bill from the Imperial Government which contained their views respecting this very complicated matter. The Bill now before the House was one that he thought embodied very nearly all that had been seriously demanded by authors and publishers ; while it afforded a fair scope for Canadian publishers, providing as it did for the publication of works if within a certain time the authors did not take out a copyright or commence publication. He believed this Bill was acceptable to Canadian publishers, and it might fairly be presumed that it would receive the Royal sanction for which, of course, it would be reserved.

Mr. DYMOND said he felt obliged to dissent from the hon. Premier with respect to the merits of this Bill. In his judgment it would be better to have the law as it stood at present. He did not propose to delay the progress of the Bill at this stage, but he asked that time be given after the second reading for its further consideration. Before its final passage he would like to have an opportunity of offering a few remarks upon it.

Hon. J. H. CAMERON thought it would be better if his hon. friend wished to dissent from this Bill, for him to make his remarks now. The subject of copyright had engaged the attention of our

Legislatures for the past quarter of a century, but unfortunately no Bill that has passed has ever received the Royal assent. He believed that the present measure was one that would be likely to receive the Royal assent, and that it was satisfactory to authors and publishers on both sides of the Atlantic. However, if the hon. member for North York knew of any difficulties in the way of its being accepted in England, he thought he should state them now.

Hon. Mr. HOLTON said that it was almost too much to ask any member of the House to be prepared to make a lengthened speech after the labors of the last forty-eight hours. It would, perhaps, be better to defer the second reading of this measure ; but if that was not done he thought that no further stage should be taken to-night and that another opportunity should be given for a full discussion.

Mr. DYMOND said he had only received the Bill after it finally passed the Senate this afternoon. It not merely opened the question of copyright, but also the right of the people of Canada to manage their own affairs. While he would be glad to see a measure passed that would be acceptable to authors and publishers in England, he felt that his first duty was to this country, and while he did not hope to effect any change in the Bill, he wished to have an opportunity of placing his views on record in order to further the discussion which he had the honor of raising in this House a year ago. To his mind it was very doubtful whether this Bill would receive the Royal assent.

Hon. Mr. MACKENZIE observed that perhaps upon the whole it would be desirable, as was proposed to have a discussion on that Bill, that it should take place on the second reading. For his part he not only had no objection to a discussion, but rather invited one, and as it would be preferable to have it on the second reading, he begged leave to withdraw his motion.

Motion withdrawn.

BAIE VERTE CANAL.

On the order for the further consideration of resolution 83 in the estimates—Baie Verte Canal, $1,000,000,

Hon. Mr. MACKENZIE said the Government had considered the discussion which took place on this resolution a few evenings ago, and he had promised that when it came up for concurrence, he would state what the Government proposed to do in relation to it. There was a manifest, and he was bound to say not unreasonable, hostility to the Government taking a vote of one million dollars for a work, the exact cost of which, and the extent to which they might be able to proceed this year, they were not able to state. He proposed now to reduce this amount to a mere nominal sum sufficient to enable them to proceed to make such further surveys as might be necessary to get the most complete information. They proposed to invite tenders and have an estimate prepared from them when the House met again, showing the cost of the work. They also proposed to take such steps as would secure as accurate information as possible of the value of the work in a commercial sense, so that they might be able to meet the House with some statistical information showing the real value of this work to the country at large. He was not insensible to the fact, or what might be supposed to be a fact, that local consideration might have had some influence, both with those opposed to and in favor of the scheme. He was not able himself from any information he had at hand to form any judgment as to what the real value of the work would be to Canada ; but the Government would use all the means in their power to be able to present to the House next session an intelligent estimate of the commercial value of this work, its cost, and the means they thought should be taken when that was ascertained in order to complete the work or otherwise. He, therefore, moved that this item be not concurred in, but that it be reduced from $1,000,000 to $20,000.

Hon. Mr. TUPPER said he could not state that he was very much surprised at the announcement which had just been made by the Minister of Public Works, but he did think that the Government occupied a position that was very far from enviable in relation to this question. The First Minister knew that this great work was brought under the consideration of Parliament in connection with the whole canal policy, as proposed by the Canal Commission which was composed of the ablest engineers and the first commercial men in the country. That policy was sub-

mitted to the House as a whole, and was accepted by the House as a whole. Was the House in that sincere or insincere? Did the First Minister intend at that time to assent apparently to this important work in order to secure the construction of works in which he himself took a more immediate interest? Did the House intend after they had accepted the policy of the Canal Commissioners as a whole, and after the country was irrevocably committed to that portion of the policy in which the hon. gentleman was more particularly interested, to take such a course as that now proposed? The late Government acting in good faith in this matter obtained the necessary information with regard to this work, and were on the very eve of asking for tenders, when at the instance of the Minister of Marine and Fisheries and gentlemen associated with him from New Brunswick, the Government consented to allow a dispute about the route to be submitted to a disinterested engineer and finally to the Chief Engineer of the Public Works Department. He did not envy the position of the Minister of Marine and Fisheries on this question. That gentleman stood immediately and personally responsible for thus trifling with one of the great public works of this country. At his earnest appeal the late Government postponed asking for tenders, and placing the work under contract before Parliament met. Did the hon. gentleman delay the work then simply for the purpose of burking it altogether? The present Government when they came into power declared that their policy was, as it was of that of the late Government, to carry out the whole policy of the Canal Commissioners, which had been endorsed by Parliament. Not only that, but a sum of money was placed in the estimates for this work, and it was announced that tenders would be asked for. The hon. gentleman having adopted a policy calculated to invite the hostility of every interested section of the country, still found it was all insufficient to enable him with any prospect of success to have this work defeated by his own friends. The hon. member for South Bruce then came to the front with a statement the most immoral, politically, that had ever been made in this House, and objected to the Premier carrying out the policy which he had announced to the House, and suggested the propriety of spending the money required for this work in some other way. The policy of the Government as announced in the first instance, was to invite tenders so as to ascertain the cost of the work, and whether that cost would be such as would warrant them in proceeding with it, but the hon. member for South Bruce was not willing to trust the Government of the day with such power, and accordingly indicated to them that they must change that policy. Not only did he do that, but he actually invited the Government to consider whether they could not discover some local or sectional objects upon which this money might be expended rather than on the Baie Verte Canal. What would be thought in Ontario if it was proposed to this House that instead of spending the money required for the enlargement of the Welland Canal it should be spent for sectional objects, and by this means secure the defeat of that project? Yet, the proposition of the hon. member for South Bruce was precisely similar. A more corrupt and immoral proposition was never proposed to Parliament. He was astonished that the First Minister of the Crown did not feel more what he owed to the high position he occupied, that he should recede from it and allow any gentleman, however important, able or influential, to dictate to the Treasury Benches of this country what the public policy should be. It was humiliating to see any Government driven to the position in which the hon. member for South Bruce had placed them. He left the responsibility of it to the Minister of Marine, and the Minister of Customs, but for whose interposition this great work, so vitally important to a large portion of New Brunswick, and so important to the trade and commerce of the country from one end to the other, would at this moment have been half constructed.

Hon. Mr. MACKENZIE said the Government accepted the responsibility. He never yet heard, in all the audacious speeches the hon. gentleman made, anything more audacious than the one to which the House had just listened. The hon. member presumed to lecture the Government on political morality and the maintenance of proper dignity. The hon. member had asserted it was a farce to bring down these estimates year after year. Who commenced it? The hon. gentleman with-

out the report of an engineer, without the report of a single expert, without a particle of knowledge on the subject, in his gross ignorance placed a sum in the estimates to construct a work of which he knew nothing. What course did the hon. gentleman propose to justify himself by now? The Canal Commissioners reported on it, as a whole, favorably. And who were these Canal Commissioners? The first was Mr. CALVIN of Kingston. Did the hon. gentleman call him one of the first engineers of the country? What did Mr. CALVIN know of engineering? What did GEORGE LAIDLAW know of it? They had one respectable man on the commission, and he guided the other commissioners very much like the individual described by the poet BURNS as conducting a squad of very disreputable looking persons to a very disreputable place. Yet these were the persons who were to guide the whole policy of this country. Because Mr. CALVIN said something about the canals, that was authority for anything and everything to be done by the hon. gentleman. A more reckless administrator of public affairs, and one more dangerous to be entrusted with the expenditure of public money was never in office than the hon. member, and every one must be as reckless as himself or be condemned in that wild, passionate and turbulent manner which characterized him. But, the hon. gentleman said, Boards of Trade had approved of it. Well, what were they but mere bands of local politicians associated together to ride some pet hobby, and he (Mr. MACKENZIE) told the Boards of Trade he did not pay the least respect to any of their recommendations on engineering matters. If the hon. gentleman thought he (Mr. MACKENZIE) was to be guided in his policy by the speeches of men of this kind, merely because they were members of Boards of Trade, he entirely misunderstood his character. The hon. gentleman was pleased to say that he (Mr. MACKENZIE) had given notice publicly that tenders would be invited some time in the month of January for this work, and that it was done for the purpose of deluding and deceiving the public. He threw back the taunt. He never did and never would deceive the public on any matter whatever. Where he made promises he endeavored to keep them, and he made none that he did not believe to be in the public interest. With reference to his statement that there was not information in the department to warrant the Government to undertake the work, the hon. gentleman should accept it or apply somewhere else for information.

Hon. Mr. TUPPER said an engineer had been employed four years on the work.

Hon. Mr. MACKENZIE said he had only been a year and a half employed by the present Government.

Hon. Mr. TUPPER said he was willing to let the engineer say whether there was not information enough in the Department already to commence the work.

Hon. Mr. MACKENZIE invited the hon. member to bring the engineer to the bar of the House and prove it, and promised every possible facility, by sub-committee or otherwise, to make good his assertion. It was time there should be an end to these reckless denunciations of public men and members of this House, because they chose to express their deliberate opinions. When he (Mr. MACKENZIE) made a statement to the House as head of a department, he did so knowing that he was correct, and the engineers of the department would bear out every word he said. He expected early in January to have been able before the House rose to have obtained tenders and submitted them with the most explicit information regarding the work. He found, however, that the department, so far as this work was concerned, was in a state of utter confusion; nothing had been done in regard to the matter, except to place a sum in the estimates in order to deceive the people of Cumberland and of New Brunswick about election time. And yet the hon. member chose to rise in his place and make a passionate appeal to his following in order to make an attack upon the Government. He would say nothing about the reproaches cast against other hon. members, and when he held out, as he had to-night, the impression, with a view to form that impression on the public mind, that this project was opposed by Ontario members, it was necessary to call attention to the fact that no Ontario member said a word about the matter the other night. The discussion was entirely left, and in his opinion properly left, altogether to the members for the Maritime Provinces.

Hon. Mr. TUPPER—There was the hon. member for South Bruce.

Hon. Mr. MACKENZIE said the hon. member for South Bruce, as he understood, did not engage in the discussion further than to indicate that, if the Government were not prepared to give explicit information, they ought not to ask that large vote for money for a speculative purpose, and speculative it must be held to be to some extent until the Government was able to place before the House explicit information regarding it. He was prepared then, as he was prepared now, to state that if the House was willing to clothe the Government with authority—which he hoped they would use properly—to receive tenders, and if the tenders did not exceed a certain amount that might be deemed reasonable, the Government would proceed with the work. The manifest feeling of the House was that the work would cost more than it was worth in a commercial sense, and until the Government proved it would be different—as he presumed they would be able to do if the statements of the hon. member for Cumberland were correct—they would merely take a sufficient sum to obtain tenders and obtain the fullest information to present to the House at its opening next session. No Government was bound, either to stand or fall, upon a sum in the estimates, and they were bound to yield to the views of the House as the hon. members now in Opposition had yielded, even to striking sums out of the estimates. He did not wait for an adverse vote. He believed when an expression of public opinion was obtained in the House, it was the duty of the Government to yield thereto. And the work would not be much delayed, for it had been found impossible for the able Engineer to get the plans advanced, as they hoped to be able to do a few months ago. He had nothing further to add than to repudiate with all possible scorn the imputation which the hon. member had cast upon him.

Hon. Mr. BLAKE said he was glad to have learned from the First Minister the course which the Government proposed to take on this occasion, and thought that the observations of the hon. member for Cumberland, in reference to that course, were much to be deprecated. If there was one thing above another to be desired of a Government, and particularly with a Government possessing such a numerous following as this Government does in this House, it was that they should be, as they had shown themselves to be on this occasion, amenable to a general expression of the feeling of the House, and willing to do that which, upon full consideration and upon full debate, would be adjudged most desirable in the public interest. That they should be taunted by hon. members opposite, who were in a minority, who could not compel obedience to their views, was certainly a most short-sighted and ill-judged policy. He had no doubt those taunts would have no such effect as possibly the hon. gentleman designed. He had no doubt whatever that the leader of the Government and his colleagues would be prepared in future, as they had been on this occasion to give fair and full consideration to suggestions which might be made in this House by independent members, either their friends or foes, and which might be considered to be in the public interest. He made no such statement as that imputed to him by the hon. member for Cumberland to-night, he said nothing about permitting or not permitting the vote to pass. After the statement made by the hon. First Minister he (Mr. BLAKE) ventured to suggest that in accordance with the principle which he had advocated for many years that the House should have the fullest information before it prior to its clothing the Government with authority to mature its judgment and enter upon the work. He did not presume to form a judgment on the subject, for the hon. First Minister had stated that it was not ripe for solution, and upon that statement it appeared to him (Mr. BLAKE) that the proper course to pursue was to take a vote for such an amount as was necessary to complete the necessary inquiries. Did the hon. member for Cumberland dispute that this was sound Parliamentary doctrine?

Hon. Mr. TUPPER said he did not dispute it; but he maintained what he had previously asserted "that this doctrine was entirely at variance with that enunciated by the hon. First Minister."

Hon. Mr. BLAKE said the hon. member did not deny that this was sound Parliamentary doctrine. Did the hon. member for Cumberland suppose that he alone had the right to state any views in opposition to the Administration of the day. The

difference between the conduct of the hon. member and himself was this, that while the hon. gentleman opposed many questions he was generally wrong, while his (Mr. BLAKE'S) suggestion appeared to be correct. The observations he (Mr. BLAKE) made during the late debate were made towards its close. The hon. member sought to make it appear, although the canal would skirt the County of Cumberland, that he was not affected by it: but all the members from Nova Scotia who spoke adversely to this work did not do so from considerations of public interest, but from base, sordid and sectional motives. Let the hon. member take his words and apply them to himself, and let him tell that hon. member that no man who proposed that $6,800,000 or $800,000 of the public money of this country should be spent on works adjoining his own constituency had a right to complain because the Government declared that they would take pains to ascertain the value of that work before they entered upon it. The hon. gentleman was good enough to use expressions towards him (Mr. BLAKE). He would not complain of the unparliamentary language used, because they were accustomed to it from the hon. member. The hon. gentleman had said, for example, that he (Mr. BLAKE) was immoral and corrupt.

Hon. Mr. TUPPER—No, no!

Hon. Mr. BLAKE said the hon. gentleman had asserted that he (Mr. BLAKE) used immoral and corrupt arguments and any such man must be himself immoral and corrupt. The hon. gentlemna might take that to himself, too. What did the hon. member say further? He said that coming from the Province of Ontario, he (Mr. BLAKE) did not declare himself in favor of the Baie Verte Canal for the reason that it was impossible, owing to the statement of the Premier, to say definitely that any private member could come to a conclusion on that scheme on which the Government itself did not consider it had sufficient information to come to a decision. What he (Mr. BLAKE) said then was that in his opinion the same expenditure, provided the canal scheme was proved to be impracticable, should be made on objects of public national importance in the Maritime Provinces.

Hon. Mr. TUPPER said there were plenty of such objects. He thought the Maritime Provinces were entitled to assistance for any object of public national importance, entirely irrespective of the bargain to vote down the Baie Verte Canal. He remembered that when the hon. member for Cumberland was in the late Government, and any question was asked respecting expenditures in the Maritime Provinces, he indicated that those questions showed a feeling of opposition on the part of Ontario members to those expenditures. If the Baie Verte Canal project should be proved to be impracticable, he was prepared to agree to a similar sum being expended on public works of national importance in the Maritime Provinces; but he was not prepared with respect to the Baie Verte Canal—though it did pass through the County of Cumberland—to support its construction until it was demonstrated that the work was one to be built in the interests of the people of Canada.

Right Hon. Sir JOHN MACDONALD said he did not understand from the speech of the hon. member for Cumberland that he at all objected to the advice given by the hon. member for South Bruce to the Ministry. That hon. gentleman from his place in Parliament had a right to do so if he thought the Ministry were wrong, and it was his duty to do so. What the hon. member for Cumberland did say was that that advice was offered to the Administration at the time they were propounding another and a different policy; that at the very time when the Government were coming down after due deliberation and after eighteen months' possession of office, having every opportunity to consider the value of this canal, as well as all other canals and public works connected with the country—the hon. member for South Bruce had only to rise late in the debate and express his opinion that they were taking a reckless course, for the Government to at once adopt the suggestion—listen to the frown from above—hear the thunder roar, and submit to his dictation. It was apparent that the hon. member for South Bruce possessed influence—every one knew that he possessed it, and it was indeed agreeably obvious to some gentlemen in the House—the large proportion of the supporters of the Government—but it was disagreeably obvious to the First Minister. It was more glaringly obvious in this

House. Here was the fixed policy of the Government enunciated in the most solemn manner by a speech from the Throne, sums of money for the purpose being twice included in the estimates, and yet after a few words from the hon. member for South Bruce, away goes the speech of the GOVERNOR GENERAL and the items in the estimates, and the First Minister forthwith reduces the item of $1,000,000 down to $20,000 which was clearly to be the first and last expenditure on this unfortunate Baie Verte Canal project. The hon. member for Cumberland was only anxious to secure the construction of this great national work, which was so regarded even by the hon. member for South Bruce, and it was the hon. member's duty to be so in the interest of his constituency. The hon. member for Cumberland could not be charged with having used unparliamentary language, because he had not charged the hon. member for South Bruce with personal corruption or personal immorality, for he thought that the argument of the hon. member for South Bruce led in that direction. Even in the British Parliament, hon. members would not hesitate to use such language in regard to arguments. He (Sir JOHN MACDONALD) had heard the speech of the hon. the First Minister, with much regret. The hon. the First Minister had charged the hon. member for Cumberland with having placed in the estimates, for political purposes, amounts for the construction of the Baie Verte Canal, and with having been a reckless administrator. It was well known that the Baie Verte Canal was a question which interested Nova Scotia and New Brunswick before Confederation, repeated surveys having been made. When the late Government prepared a canal extension scheme, they did not come before Parliament in the reckless manner adopted by the present Government; but they appointed a Canal Commission composed of engineers and commercial men which included Colonel GZOWSKI, Sir HUGH ALLAN, Mr. CALVIN and Mr. GEORGE LAIDLAW. The hon. gentleman said there was but one decent man in the whole lot. Perhaps the hon. gentleman did not remember that Mr. SAMUEL KEEFER was Secretary to the Commission, and that he was employed to work up the whole subject and make a report. He (Sir JOHN) thought there was no one in this House or out of it who would disparage the position and standing of Mr. KEEFER, who was an engineer of first-rate standing and eminence.

Hon. Mr. MACKENZIE—Why was he dismissed? Why was he removed from the Department of Public Works, under the right hon. gentleman's administration?

Sir JOHN MACDONALD said it was because he did not agree with Mr. KILLALY—because there were two powers in the Department which would not work together.

Hon. Mr. MACKENZIE—Mr. KILLALY was not there at that time.

Sir JOHN MACDONALD said the commission, at any rate, made an admirable report, and upon the main features of it the First Minister was now carrying out his policy with regard to all the canals except the Baie Verte. After Mr. BAILLAIRGE had been engaged on the work some years, Mr. KEEFER and Mr. GZOWSKI went over the ground, and Mr. KEEFER made a report which the Government accepted. A sum was put in the estimates to meet the cost of construction, and the work would have been proceeded with at once, but at the urgent request of the present Minister of Marine and Fisheries, it was postponed.

Hon. Mr. MACKENZIE inquired whether, before the Right hon. member for Kingston left office, Mr PAGE was not instructed to make another report.

Sir JOHN MACDONALD said the Government had been induced to ask for a second report on account of the pressure brought to bear upon them by the present Minister of Marine and Fisheries.

Hon. Mr. SMITH said the pressure amounted to this—that the hon. member for Cumberland was having the terminus fixed in his own county, instead of the county of Westmoreland.

Sir JOHN MACDONALD said the hon. member for Cumberland was then and continued to be anxious for the welfare of the whole Dominion, and of the Maritime Provinces, and for this reason it would have been justifiable had he contended for having the terminus where he thought it best in the interest of the country. He (Sir JOHN) exceedingly regretted that the First Minister had used language with regard to the member for

Cumberland which was not exactly Parliamentary—that he considered it not beneath the dignity of his position to describe the hon. member as a reckless administrator, and that he had put a sum in the estimates ostensibly for the construction of this work, but really for the purpose of influencing two elections. The statement of the hon. member for Cumberland, that the work would have been under contract and making progress at this moment had the late Administration remained in power. His hon. friend the First Minister made another statement which was anything but Parliamentary—a statement which he felt sure was made in the heat of the discussion, and for which the hon. gentleman would himself feel sorry. He said that the member for Cumberland got up in his passionate style, in order to please a contemptible following, and made use of certain language and certain arguments. The hon. the First Minister had no right to be surprised at the inference drawn by the member for Cumberland, that the member for South Bruce was so strong in the estimation and affections of the House and had such an influence on public opinion, that although the Government asked a vote of a million dollars for this work, it required but an expression of his (Mr. BLAKE'S) opinion in order to convince them that they should confine themselves to a survey. The relations of the Premier and the hon. member for South Bruce reminded him of two characters in SHAKESPEARE'S plays, the one of whom said to the other—"Thou shalt be king, and I shall be viceroy over thee." His hon. friend the First Minister was the king; he sat upon the throne; but the hon. member for South Bruce was viceroy over him. In Japan they used to have two kings—the Tycoon and the Mikado. The Mikado was the heavenly King, and the Tycoon was the earthly king. The Mikado had all the honor; he was given the first place, and received the homage and worship of his subjects; but the Tycoon had all the power. Which was the Mikado and which the Tycoon—the Premier or the hon. member for South Bruce—he left to the House to decide. The Baie Verte Canal was not to be constructed after all. But they had the assurance of the Tycoon, if they only gave up the Baie Verte Canal, whatever the Mikado might have said, there would be money got somewhere to spend among all the constituencies of Nova Scotia and New Brunswick to make up for it. He agreed with the Ministry that this was a work of national importance, and that it ought to be, and must be finished, unless the powers above were too strong for them. He could only say, in conclusion, that he hoped his hon. friend would increase the vote to a little over $20,000.

Hon. Mr. MACKENZIE said he was not conscious of having used any language that was not Parliamentary and if he did make use of any expression that could have given pain or offence to any one, he assured his hon. friend that it was very foreign to his intention. So far as the remarks of the hon. member affected the question before the House, he had simply to say that as a member of the late Government, he (Sir JOHN MACDONALD) must be aware that it was impossible they could have been prepared to place the work under contract. They had a walk over the ground by Mr. KEEFER and an estimate was made by him of the probable cost which every other engineer pronounced absurd and ridiculous. The engineers of the department agreed in this opinion no estimates could have been made until plans were prepared, and that would take months. Notwithstanding that the engineers had been unable to accomplish this—notwithstanding that he (Mr. MACKENZIE) had so far found it impossible, the hon. member asked the House to believe that if he and his Government had remained in office the canal would have been in progress of construction.

Hon. Mr. TUPPER said he understood at the time that plans had been prepared, and was assured by the hon. the Minister of Public Works and by Mr. KEEFER that within a few weeks the working plans would be prepared, and the canal would be put up for contract. He repeated that tenders were about to be invited when the hon. the Minister of Marine and Fisheries sent an urgent telegram asking a postponement, and it was then arranged that the matter should be submitted to Mr. PAGE'S consideration.

Hon. Mr. SMITH said that his hon. friend from Cumberland knew very well that he (Mr. SMITH) requested that the terminus of the canal should be changed,

because it was located at a place where it would be utterly useless.

Hon. Mr. TUPPER said the terminus was located where recommended by Mr. BAILLAIRGE who had spent several years of labor in connection with the work upon the sole ground that it would save the expenditure of millions of money. He asserted that he had never used the slightest influence either with the Canal Commission or with the engineer, or anybody connected with the Board of Trade to have the terminus located in the County of Cumberland; and all independent authorities had came to the conclusion that the interests of the country would be best served by having it there. He did not see that he, because he happened to be member for Cumberland, should have offered any objection to the arrangement.

Hon. Mr. MACKENZIE pointed out that the hon. member for Cumberland spoke of Mr. KEEFER as if he were the engineer in charge. When he (Mr. MACKENZIE) took charge of the department, Mr. KEEFER was not connected with the work at all. Indeed, whatever Mr. KEEFER had done had ere then been undone, Mr. PAGE having then been commissioned to make a new report. That report was not completed until a few months ago, and it would have been impossible to place the work under contract before this spring, so that nothing had been lost in any case and nothing would be lost now because he did not anticipate being able until a considerable time after the House would rise, to obtain any tenders for the work or make any actual progress in it. As to his opinion of the Boards of Trade, he need not add anything. In some places they were mere political clubs, and in some places they did not possess commercial intelligence. One Board of Trade, a little over a year ago, thought fit to blackball every one who belonged to the political party to which he belonged. This necessitated the retirement from it of every person who was connected with that party. That Board of Trade proceeded immediately to discuss political questions and denounce the Government, and its opinions were paraded over the country as of great value. He declined to be guided by Boards of Trade so long as he had any common sense left. He would accept the opinions of commercial men everywhere, but he would be not be tied to the opinions of any Board of Trade in matter of this kind.

Mr. WOOD hoped the hon. gentleman would except the Board of Trade of Hamilton.

Hon. Mr. MACKENZIE said he excepted many, but objected to having their opinions thrust upon him on engineering questions as an authority he was bound to obey with regard to this estimate, all that the Government required was what was necessary to take the preliminary steps to have this canal properly built, and to obtain other information of a commercial nature, as well as tenders for the work to place before the House at its next session. He need not assure hon. gentlemen that he had been on this question influenced by no feeling which could not be characterized as a national sentiment. He had no purpose to serve, and no object to gain except that of promoting the public welfare.

Mr. PALMER said reports of every possible description had been sent in, and the Government must by this time be in possession of all the information necessary to proceed with the work. The Government must know by this time where the canal should be built, if it was to be built at all. There must be something more in the course pursued by the Government than a desire for further information. He held it was a sign of weakness and vacillation in the last degree in this Government that they should have mentioned this project in the Speech from the Throne. When would this delay end? After all the information that the Government had obtained—after all their promises to commence, the work, they were now merely calling for tenders to ascertain what the cost of construction would be. He regretted this course. They would never get information of this kind from practical men and it would be much better for the Government to obtain it in some other way. There was a feeling among the people in the part of the country from which he came that the Government were not disposed to keep good faith with them and they would regret this action of the Government and consider it a sham. The expression of the hon. member for South Bruce that he would approve of expending this amount in some other way in the Lower Provinces, and not on the Baie Verte Canal was merely thrown out to influence the votes of members. He was

sorry to believe at last that this work was to be virtually abandoned. He would vote against the amendment of the hon. Premier.

Mr. KIRKPATRICK congratulated the Government on the decision at which they had arrived in this matter. He thought they had done the right thing in adhering to the principle that money ought not to be voted by this House for works of doubtful practical utility. There could be no doubt that the Baie Verte Canal partook of that character judging from the diverse statements made by the two engineers who had examined the project. He denounced the principal laid down by the hon. member for South Bruce that money voted for a particular purpose should under certain circumstances be expended on others. The principle was bad and should not be countenanced.

Mr. McKAY (Cape Breton) said during the discussion a few nights ago it was pretty generally understood that the amount in the estimates should not be expended till the Government obtained such information as would justify them in coming to the conclusion that it was an enterprise which they could properly undertake. For his part he hoped the Government would place no larger sum in the estimates than would be necessary to enable them to arrive at such a conclusion. He was surprised at the remarks of the hon member for Cumberland to the effect that there was an understanding between the Government and members from Nova Scotia, that if they would assist in killing off the Baie Verte Canal scheme they would receive grants of money to be spent in their constituencies. The hon. member must know that the same members from Nova Scotia, who were opposed to the Baie Verte Canal scheme, were opposed to it during the time of the late Government, and, therefore, their present opposition to it could not arise from any motive such as was attributed to them.

Mr. DOMVILLE said that last year the Government had placed a sum of $500,000 in the estimates for this work, and he then asked the Premier if it was intended to spend that money. The Premier replied that he had but newly entered his department and it could hardly be expected that he could be in a position to form any definite judgment upon the question, and he (Mr. DOMVILLE) was disposed at that time to think that there was some justice in the remark of the hon. gentleman. But what was he to believe now when, after having placed $1,000,000 in the estimates, and having by advertisement announced that tenders would be called for, the proposition was made that there should be no expenditure upon the work at all, this next year, further than was necessary to procure more information. In the first instance they promised in the Speech from the Throne that the work would be proceeded with; then $500,000 was placed in the estimates; then it was announced that tenders would be called for; then $1,000,000 was placed in the estimates; and now, when nearly all the rest of the estimates were passed, the Government came down and said they would only ask for a vote of $20,000. What were the people of New Brunswick to think of such a course as that? Would they not be justified in saying that the Government of the day had been deceiving them, and that the hopes they had held out of building this canal were entirely delusive. He would not have felt called upon to say one word on this subject, had he not seen that the majority from New Brunswick who supported the Government remaining silent upon this important subject. He did not apply this remark to the Minister of Marine and Fisheries, because as his constituency was specially interested in this work, it might be said that he had a personal interest in the matter if he advocated the prosecution of the project. The people of New Brunswick were strongly in favor of this canal, not only because it would be a benefit to them, but because it would promote trade with the Upper Provinces, and he did not think that they would be willing to accept as an equivalent, certain grants of money for other purposes. Especially, he did not think they would be satisfied if this money were spent in railways under the supervision of men who had been most concerned with their railways hitherto.

Mr. GILLMOR said the hon. member for Kings had asked what the people of New Brunswick would think of the proposal of the Government. He (Mr. GILLMOR) did not like the hon. gentleman to profess to speak for all the people of

New Brunswick, but for himself he approved of the Government obtaining ample information about this work before rushing into a large expenditure. The late Government were seven years in power, but they had done very little towards this work. They had left as a legacy to the present Government a number of unfinished projects, and unsettled questions, and he believed the people of New Brunswick were willing to give the Government a reasonable time to complete these projects. The policy of the late Government seemed to be to start a great many projects, and accomplish none. With regard to the Baie Verte Canal, he was inclined to think that many of those who had spoken on the subject underrated its commercial value, at the same time he believed the Government were justified in taking ample time to satisfy themselves as to the value of the work from a commercial point of view and as to its cost. This country had experience enough of undertaking expensive works that were non-productive. The policy of the Opposition seemed to be to create discussion in the Dominion and to make the Maritime Provinces feel that their interests were neglected, but he did not believe they would succeed in that unpatriotic course. It had been stated that the Premier was influenced by the hon. member for South Bruce. He (Mr. GILMOUR) believed that the Premier had a mind of his own, and would perform what he promised. The Premier was taking a wise course in deciding to obtain the fullest information before entering upon the large expenditure necessary to construct the Baie Verte Canal. He did not say this because he was opposed to that canal; on the contrary, he would be glad to see it constructed; but the Government were right in proceeding with caution. He was very much surprised at the position taken by members from Nova Scotia on this question. He did not wish to charge them with being influenced by sectional feelings, but he was bound to say that it looked very much like it. He would like to see the Maritime Provinces more united so that if ever it became necessary for them to resist injustice on the part of the larger Provinces, they would be in a position to do so effectively. The Opposition were not half so anxious about this work when they were in power as they profess to be now. They were like the Irishman who was always willing to give away milk after his cows went dry. When they were powerless they would have the people believe they would do wonders for them if they only had the chance, though when they had the power they did very little. He thought the people would prefer to try the present Government a good while longer before they called the Opposition back to power. He was reminded of the story of a man who had been a hard drinker, but who had reformed. He took sick and had one spasm and the doctor told him that if he did not take a little liquor he would have another spasm, and the third one would finish him. "Well," said the sick man, "I have had one spasm and will run the risk of having another before I will take drink again." He believed the people had enough of the late Government and would run the risk of having two spasms of the present Government before they tried them again.

Mr. PLUMB thought if the members of the Government wished to have ample time to build the Canal, the House ought to have ample time to discuss the question. At the proposed rate of expenditure, $20,000 per annum, it would take three hundred years to complete the work, and that would be time enough for the old proverb to be realized—"Make haste slowly." He desired to say one word with regard to the Premier's expression of opinion with regard to Boards of Trade. The public were indebted to the gentlemen constituting the Boards of Trade, for the manner in which they discussed commercial questions, and it was not seemly for members of this House, especially those who were not commercial men, to sneer at their opinions. It so happened, however, that Boards of Trade in their discussions had recently run counter to the views of hon. gentlemen on the Government side of the House. He expressed himself in accord with the views of hon. gentlemen who condemned the practice of keeping in the estimates a large sum for the construction of the Baie Verte Canal if it was understood that the amount was not to be expended for that but for other purposes, because it was just offering a bait for political support. Such action was entirely unworthy the statesmanship of a gentleman who aspired to lead this House.

The amendment was carried on a division.

PRIVATE BILL.

A Bill from the Senate, providing for the amalgamation of the Niagara and District Bank with the Imperial Bank, was read a first time.

The House adjourned at 10.40 p. m.

HOUSE OF COMMONS,

Friday, March 12th, 1875.

The SPEAKER took the chair at three P. M.

CANADA SOUTHERN RAILWAY.

Mr. MACDOUGALL, (East Elgin), introduced a Bill to authorize the Canada Southern Railway Company to acquire the Erie and Niagara Railway, and for other purposes.

REPORTING THE DEBATES.

Mr. ROSS, (Middlesex), said the House was aware that in the early part of the session it was resolved that the management of the reporting of the debates should be entrusted for this session to the Joint Committee on Printing. That committee appointed a sub-committee to take charge of the work, and that sub-committee felt that their responsibility ceased this session, as the order of reference only applied to this session. It seemed to be generally desired that the official reports should continue, and he would therefore move, that a Select Committee consisting of Messrs. CAUCHON, TUPPER, DYMOND, BOWELL and the mover be appointed to make all necessary arrangements concerning the publication of the debates next session, and report to the House with all convenient speed.—Carried.

INTERCOLONIAL RAILWAY.

Hon. Mr. MACKENZIE introduced a Bill respecting the Intercolonial Railway. He said the object of the Bill was to place under one Act the administration of that railway. At present the portion of that road built by the Nova Scotia Government was administered under the Act of the Legislature of that Province; the portion built by New Brunswick under a New Brunswick Act, and the Intercolonial Railway proper under the Dominion Act. This Bill was to place under one Act the whole of the railway system of the Lower Provinces.

Bill read a first time.

THE NORTH-WEST TERRITORIES.

Hon. Mr. MACKENZIE introduced a Bill to amend and consolidate the laws respecting the North-West Territories. As he intimated on a former occasion the Government decided some time ago to establish an entirely independent Government in those territories. To a certain extent it would have been advisable, before such an Act was passed, if it could be done, to have the boundary of Manitoba rectified, but that was a matter which it was difficult to deal with at the present moment. He thought it would be advisable as soon as the boundary between the Province of Ontario and the North-West Territories was established, that that boundary should become the boundary of the Province od Manitoba. At present the 96th degree off longitude was the eastern boundary of that Province, and the contention of the Ontario Government was that they owned the territory to the centre of the Lake of the Woods, and to a line running directly north from Lake Itaska, in Minnesota, to the head waters of the Mississippi. It was known from the returns laid before Parliament that the Government of the Dominion, and the Ontario Government, had decided upon an arbitration to define this boundary; and the Dominion Government had nominated ex-Lieutenant Governor WILMOT, of New Brunswick, while the Ontario Government had nominated Chief Justice RICHARDS. These gentlemen were to choose a third arbitrator, and both parties to the arrangement were to abide by the decision arrived at. The hon. member for Kingston, when leader of the Government, made a proposal to the Ontario Government two years ago, to have this matter referred to the Privy Council for settlement. While there was no particular objection to that course, it was thought advisable by the present Government that it should be settled in the way he had explained. Until that settlement had been reached, which he hoped it would be in a short time, as each side had prepared its case, and the two arbitrators would shortly have a meeting, it was difficult to define the bound-

aries of Manitoba in the east. The present Bill would be applicable to the territory of the Dominion east of Manitoba as well as to that to the west and north. He might mention that application had been made on behalf of the Government of Manitoba for an enlargement of their territory. They proposed, in fact, to have it made something like nine or ten times larger than it was at present. But there were other proposals of that Government in connection with this matter which rendered necessary the postponement of action for the present until a conference can be had with the Local Government. It was proposed by this Bill to have a Lieutenant-Governor of the North-West territories who would be assisted by a Council. That Council would consist of five members appointed by the GOVERNOR GENERAL in Council; three stipendiary magistrates or judges, to be appointed in a similar manner who would be members of the Council *ex-officio*—and two others, perhaps the principal Indian Agent and some other person whose place of residence and occupation made it convenient for them to perform the duties that would be required of them. The first section of this Bill simply provided that the territories formerly known as "Ruperts Land, and the North-West territories," should continue to be styled and known as the North-West territories, and that there shall be a Lieutenant Governor appointed who shall hold office during the pleasure of the GOVERNOR GENERAL and receive instructions in the same way as Lieutenant Governors in the Provinces. The third section provides for the establishment of the Council, and the fourth that the seat of Government may from time to time be changed by the GOVERNOR GENERAL in Council. In the meantime the seat of Local Government for the territories shall be established at Fort Pelly, that being a convenient place to reach the Sascatchewan River and Fort Ellis, and other parts of the territories, and not beyond reach of the telegraph system about being established. The Government last season constructed buildings there for the North-West police force, sufficient to accommodate two hundred men, a commandant house, an hospital and other buildings; and these buildings could accommodate the officers connected with the North West Government without any serious expense. Last year there was expended on these buildings something like $30,000. By section five it was proposed to pay the Lieut. Governor a salary not exceeding $7,000, and each Stipendary Magistrate or Judge a salary not exceeding $3,000, and the other two members of the Council a salary not exceeding $1,000; and to the Clerk of the Council who shall act as Secretary to the Lieut. Governor a salary not exceeding $1,800. Sections six seven and eight simply provide for the consolidation of the laws and ordnances now in force in those territories, and the ninth section that no ordnance shall be passed by the Governor in Council or the Lieut. Governor inconsistant with any Act of the Dominion Parliament. This section restricts the jurisdiction of the Council practically to that now enjoyed by the Lieut. Governor of Manitoba acting as Governor of the North-West Territories, and his Council. The next few sections provide for popular Government so far as it could be established under the circumstances of the country. The eleventh section provides that so soon as the Lieut. Governor is satisfied by such proof as he may require that any portion of the territory not exceeding an area of one thousand square miles contains a population of not less than one thousand inhabitants such district may be erected into an electoral district which shall be entitled to elect a member of the Council or as it may be of the Legislative Assembly. The sub-sections provide the machinery for holding the elections. The fifth sub-section provides that as soon as the Lieut. Governor is satisfied that any electoral district contains a population of two thousand, exclusive of aliens and unenfranchised Indians, he shall issue a writ for the election of a second member. The sixth sub-section provides that when the number of elective members amounts to twenty-one the council hereinbefore appointed shall cease and be determined, and the members so elected shall be constituted and designated as the Legislative Assembly of the North-West Territory, and the powers by this Act vested in the council shall thenceforth be vested and exercisable by such Legislative Assembly. One of the sub-sections provides that every *bona fide* resident and householder who shall have been in the district for twelve months may vote, and any person entitled to vote shall be eligible for election.

Sections twelve to thirty inclusive contain provisions for the holding of real estate, and the administration of estates, the law that prevails in Ontario with regard to property being introduced. Sections 36 to 44 inclusive make provisions for wills and their registration; and from 45 to 50 provisions regarding married women defining their rights as to property. Section 54 provides that the Governor may appoint a registrar of deeds in and for the North-West Territories and the remuneration to be paid. Section 52 provides for the appointment of a Sheriff who shall reside in the territory; and the Lieutenant Governor is authorized by the 53d section to have local disposition of the police force in and for the North-West Territories established under the Act respecting the administration of justice in those territories. For the administration of justice the Lieutenant Governor is authorized by section 54 to appoint Justices of the Peace; and the Governor in Council may, by ordinances, subject to the provisions of this Act, set apart any portion of said territories as and for a judicial district, and may from time to time alter the limits and extent of any such district. Section 56 provides that a court or courts of civil and criminal jurisdiction, shall be held in said territories in every judicial district, and at such periods and places as the Lieutenant Governor may from time to time alter. Section 56 provides authority for the appointment of a stipendary magistrate, and magistrates within the territories. Section 59, and following sections, provide the jurisdiction of each stipendary magistrate, and the mode of holding the courts for the trial of criminal offences. Section 68, and following sections, provide for the administration of justice in civil cases. Section 71, and the sub-sections one to six inclusive, contain provisions for excluding all intoxicating liquors, prohibiting their introduction and their sale in the territories. This would give the Dominion a fair opportunity to commence with a clean slate in this enormous territory, and test practically the operation of a prohibitory liquor law where there has been no law on that or any other subject before. If we were able to accomplish prohibition in that territory it would enable us the better to accomplish the object that so many were petitioning for as regards the whole Dominion. He might say in connection with this part of the Bill that the officers of the police force now in the territory have very stringent instructions about the destruction of intoxicating liquors, and Col. MCLEOD, the officer in command at Belly river, at the flank of the Rocky Mountains, had seized a large quantity of liquor, and on one occasion knocked in the head of forty-four barrels of whiskey. The exclusion of intoxicating liquor had already been very beneficial, so far at least as regards the condition of the Indian tribes, and we had reason to believe that it had given the utmost satisfaction. The police force would also act as revenue officers, assisting the prevention of smuggling. They collected some $1,000 or $5,000 of duties levied upon merchandize, in the legitimate course of trade, in the months of December and January, the duties previous to that time not having been levied. The other sections of the Act, 72, 73 and 74, simply provided for the repeal of the various Acts now in force and in order to avoid all confusion, a schedule was given of the Acts now in force, and which would be repealed by the enactment of this law.

Hon. Mr. CAUCHON asked if the place of residence of the Lieut. Governor was fixed.

Hon. Mr. MACKENZIE said the Government had at Fort Pelly all the buildings necessary to fulfill all the conditions of a Governor's residence.

Right Hon. Sir JOHN MACDONALD said this was a Bill of so great importance that every hon. member of this House would feel it his duty to consider it fully, and it might occupy a good deal of time. However, they must address themselves to the task. With reference to the proposed settlement of the boundary lines, he was sorry to learn that the suggestions of the late Government were not carried out, and that the matter was not referred to the judicial committee of the Privy Council for an authoritative decision. He would like to know whether it was the duty of these arbitrators (who would be acceptable, he was satisfied, to the country as they were to himself) to decide where the line is to run, or simply to decide upon a line which they would recommend to be adopted.

Hon. Mr. MACKENZIE replied that the exact instructions had not yet been

communicated to the Arbitrator for the Dominion, but he might say he felt that the Arbitrators should be left to define where the line should be, though not strictly according to the interpretation of the law, if there should be any doubt on that score.

Sir JOHN MACDONALD asked whether concessions were to be made by Manitoba or by the Dominion. According to one contention the head of Lake Superior belongs to the North-West; according to the other contention (and he thought that would be supported by the hon. member for Bothwell) the Province of Ontario runs to the Lake of the Woods or perhaps further.

Mr. MILLS—Very much further.

Sir JOHN MACDONALD contended that this question should be settled. The Dominion had purchased the whole of the North-West, and it belonged to Canada, and therefore the whole Dominion should know exactly what their property was, how far it extended, and what was the boundary of their farm in the first place. That being once ascertained it might be well, at all events it would be expedient, that wherever the line was to be fixed according to this arbitration, there should be a boundary defined as the legal boundary between the North-West and Manitoba. He hoped the award of the arbitrators, whatever it might be, would not be final, but would be subject to the ratification of the Government and be submitted to Parliament. He wished to know whether the award was to be the unanimous decision of the arbitrators or of a majority of them.

Hon. Mr. MACKENZIE—The award of two will be considered sufficient to settle the matter.

Sir JOHN A. MACDONALD pressed strongly upon the Government that the arbitrators should be asked to find, first, where the western boundary line of Ontario was by law, and second, the eastern boundary of Manitoba. Then they might also be authorized to report a conventional line, other than the line they might say was the legal boundary, as being a convenient one considering all the circumstances of the case. With regard to the appointment of Lieutenant Governor, the hon. gentleman should show some necessity for it, since the Lieutenant Governor of Manitoba was paid, in addition to his salary, a sum for governing the North-West Territory as well. That was to say, he had two commissions; one as Lieut. Governor of Manitaba, with a regular Ministry, and the other as Lieutenant Governor of the North-West, which might be considered in the light of a colony. The hon. gentleman should be prepared to show in the second reading that there was a necessity for appointing an additional Governor just now. Manitoba was a very small Province in itself, with a very small population, and if one Lieutenant Governor was sufficient for the Government of Ontario, surely one ought to be enough for Manitoba and the North-West for some time to come at all events. All the country lying west of Lake Superior and east of Manitoba was considered part of the North-West, and could not be governed as well from Fort Pelly as from Fort Garry. He approved of the provision relating to Stipendiary Magistrates, but thought there was no necessity for the clause introducing the popular element. It seemed to him that the Government should not clog themselves with such a provision. At the right time they could pass an Act introducing the popular element into the Government of the North-West.

Hon. Mr. MACKENZIE said the North-West Council was in existence, and could be increased to 21 members. Though several vacancies had occurred in it, the Government made no appointments. Every one of those gentlemen was styled honorable until honorables became very plentiful in in Manitoba. The Government found them a little Parliament acting for the North-West, though they resided in the Province, and some of them were never in the territories. The Government had repeated demands from them during the last year for large sums of money. They made a requisition once for $10,000, and actually cost the country during the last part of the year $3,000. It was evident that the council would cost the country as much as a Government in the territory, without being as efficient. In some places within the territories there is already a very considerable population. At Fort Albert there are 500 people other than Indians who have settled there, and that population would soon be increased to three or four times the number. There

is a very considerable settlement where the North-West Police was stationed, on the Belly River, on the flank of the Rocky Mountains, and as this district is one of the finest portions of the territory, it would be rapidly settled. It seemed to be exceedingly desirable, at the earliest point of time, that there should be a firm Government established within the territories and that the Governor should reside several hundred miles west of the present point of authority,in order to exercise a proper influence for the maintenance of peace, or overlooking Indian affairs,and generally helping the Government to establish law and order throughout the territories. The Government had ascertained, from the most authentic source, that within the last eighteen months there were very nearly 150 murders committed in the North-West territories, and no person had been brought to trial. No doubt those were mostly slain in Indian fights with traders from Missouri and Montana, of a most reckless character, who introduced the vilest passions of human nature into the territories and slaughtered the poor people with their improved fire-arms and dealing death and destruction by their vile intoxicating liquors. It seemed very clear that there was an absolute necessity for the establishment of a firm Government within the boundaries of the territories, and that provisions should be made for a popular Government, for the establishment of schools and of some municipal system which would enable the people to mantain roads, bridges, and other local works. That connot be done under the old laws, for although they were suitable for a short period of time, it was now evident that the country required an improved system. The Government were, therefore, quite justified in submitting this measure to Parliament, and no doubt whenever the Bill went into operation it would immensely promote the settlement of the country, for nothing was so essential to the settlement of the country as the maintenance of law and order within its bounds.

Hon. Mr. MITCHELL thought it was very desirable that the commissioners should be appointed as proposed. The Government having decided that they would not follow the course suggested by the late Government of having the Privy Council decide what were the local rights of the Dominion of Canada, but would refer the matter to the arbitrament of two commissioners, it was equally desirable that they should not only decide where it was desirable to define the boundaries of Ontario, but also to decide what were the legal and proper boundaries between Ontario and the North-West territories. The late Government had always recognized that the western boundary line of Ontario was two miles east of Fort William. During the existence of the Ontario Government, of which the hon. First Minister was a member, they claimed and exercised jurisdiction over a district west of Fort William. As a representative of one of the smaller Provinces, he feared that Ontario possesses at the present time too much power, and that the great power which it exercised might act to the injury of the smaller Provinces, which had equal rights with Ontario in the North-West territory. In place of extending the boundaries of Manitoba westward, it might be desirable to extend them eastward and northward toward Ontario, so as to give the Province of Manitoba water communication with the great lakes. He suggested to the Government the desirability when giving instructions to the commissioners of having them clearly defined, and the conclusion arrived at by the commissioners should not be final, but subject to the approval of the Dominion Parliament.

Hon. Mr. BLAKE said the hon. member for Northumberland had referred to the pre-eminent power of Ontario in this House, and was apprehensive that the results of that arbitration would be affected by that power. The hon. gentleman knew the character and reputation of the public men of his own Province better than he (Mr. BLAKE) could tell him; but such an insinuation had never been cast on a public man as cast by the hon. member on the Ex-Governor WILMOT of his own Province, who was one of the commissioners.

Hon. Mr. MITCHELL said he did not intend to cast any imputation on the character of the commissioners. He had confidence in both Judge RICHARDS and Judge WILMOT, but he knew the pre-eminent power which a great power like Ontario exercised over men's minds.

Hon. Mr. BLAKE—Has the hon. gentleman been swayed?

Hon. Mr. MITCHELL—Very often.

Hon. Mr. BLAKE said he had no doubt whatever, that the arbitrators would discharge their duty to the best of their ability. Under the Imperial Act it was only by the joint legislative action of the Provinces affected, and of the Dominion that the boundaries, whatever they were, could be altered ; therefore it was only an authoritative exposition of the law itself that would be obtained, and anything else would be merely suggestive. The task which the Ministry had set for itself was the most important it was possible to conceive. To found primary institutions under which we hope to see hundreds of thousands, and the more sanguine among us think millions of men and families settled and flourishing, was one of the noblest undertakings that could be entered upon by any legislative body, and it was no small indication of the power and true position of this Dominion that Parliament should be engaged to-day in that important task. He agreed with the hon. member for Kingston that the task was one that required time, consideration and deliberation, and they must take care that no false steps were made in such a work. He did not agree with that right hon. gentleman that the Government ought to repeal his errors. The right hon. gentleman had tried the institutions for the North-West territories which he now asked the House to frame. and for the same reason as he had given to-day—that it would be better for the Dominion Government to keep matters in their own hands and decide what was best for the future. He (Mr. BLAKE) believed that it was essential to our obtaining a large immigration to the North-West that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle. It was interesting to the people to know that at the very earliest moment there was a sufficient aggregate of population within a reasonable distance, that aggregation would have a voice in the self-government of the territories, and he believed the Dominion Government was wise, (although the measure might be brought down very late this session and it might be found impossible to give it due consideration) in determining in advance of settlement what the character of the institutions of the country should be in which we invite people to settle. He did not agree with the policy of asking people to settle in that western country, and tell them that a paternal Government would look after them, and would give them such institutions as the Government thought suitable. We had better let the people know their fate politically and otherwise before they settled there. The task to be discharged now, or at some future time, was one of considerable importance. And amongst the difficulties was the determining of what the range of power of the Council would be in the first place, assuming that its character would be that of a mixed nominative and elective council, as he understood it would be of the First Minister ; the Council at a subsequent period assuming the position of a Legislative Assembly when the population was sufficient to entitle it to assume that position. He did not hear from the hon. First Minister any distinct enunciation of the powers committed to the Council and afterwards to the Assembly. Looking over the Bill hastily it seemed that the powers were too general, that the powers were those of the British North American Act with respect to peace, order and good government.

Sir JOHN MACDONALD—Too wide.

Hon. Mr. BLAKE—It gave the Council all the powers practically enjoyed by this Parliament and the Local Legislatures together; and it would be proper to restrict and define their powers in all matters connected with Municipal Government, and provision should be made at the earliest possible moment for municipal institutions, local taxation and improvements. He regarded it as essential under the circumstances of the country, and in view of the deliberation during the last few days that a general principle should be laid down in the Bill with respect to public instruction. He did believe that we ought not to introduce into that territory the heart burnings and difficulties with which certain other portions of this Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they

should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of the Province of Ontario. The principles of local self-government and the settling of the question of public instruction seemed to him ought to be the cardinal principles of the measure.

Hon. Mr. MACKENZIE said the words "Governor-in-Council" in the 8th clause of the Bill meant not the Lieutenant Governor but the GOVERNOR GENERAL. Practically the legislation of the territory would be in the hands of the Government here at Ottawa. The Lieutenant Governor in Council would have power to make only such laws and ordinances as the Bill provided for, and it would be for Parliament, when the population had increased sufficiently, to confer upon them more extensive powers than it was proposed to give them under the present measure. As to the subject of public instruction, it did not in the first place attract his attention, but when he came to the subject of local taxation he was reminded of it. Not having had time before to insert a clause on the subject. he proposed to do so when the Bill was in committee. The clause provided that the Lieutenant Governor, by and with the consent of his Council or Assembly, as the case might be, should pass all necessary ordinances in respect of education, but it would be specially pro vided that the majority of the rate-payers might establish such schools and impose such necessary assessment as they might think fit; and that the minority of the rate-payers, whether Protestant or Roman Catholic, might establish separate schools; and such rate-payers would be liable only to such educational assessments as they might impose upon themselves. This, he hoped would meet the objection offered by the hon. member for South Bruce. There might be some amendments found necessary in the Bill, but he thought it would be found generally speaking to meet the requirements of the country. However, the Government would be very glad to avail themselves as far as possible of such suggestions as might be made to them.

Mr. D. A. SMITH thought the provisions of the Bill before the House were on the whole calculated to do good service in the North-West if honestly and properly carried out. A very great deal depended upon the administration of the law and upon the character of those who were appointed to carry it out. In this respect they had suffered much in Manitoba. It was well known that sufficient care had not been taken in that respect. He did not say this as a reproach to the right hon. member for Kingston, who, he believed, had under the circumstances done the best he could. At the time there was very little knowledge of the country in Canada, and perhaps even now there was not as much as could be desired. He believed the right hon. gentleman sent to the country those whom he thought best fitted to perform the duties. Much had been done within the past year towards introducing law and good order in that country by sending out an efficient body of police. He said this with the greater pleasure because in the first instance he was afraid they were not very efficient, and so much had been said to the discredit of the force in the early part of the season that they were received with a little distrust; but he had in his possession a letter from a person who had been out just where Major MCLEOD was, and which stated that officer was doing his duty excellently. He had cleared the country of the whiskey traders, and it was now peace and quiet where last year it was dangerous for any one to be. He (Mr. SMITH) thought this spoke a great deal for the efficiency of the Mounted Police, and was a strong commentary upon what had already been done for the Government of the country. The means for preserving the peace were formerly quite insufficient. He thought the provisions of the Bill now brought in were calculated to serve the purpose for which the measure was intended for many years to come. At present the Council of the North-West was probably not just exactly such a body as it ought to be. They were under the very great disadvantage of being far removed from such portions of the territory as were at all settled. The principal settlements were 500 or 600 miles from Manitoba, which was quite equal to 3,000 or 4,000 miles in this eastern country, because the means of communication were very bad. He felt that under the circumstances of that country it would be a great benefit to have a Governor and Council within the territory. He did not

doubt that the Council would be an efficient one, or at any rate he hoped that it would be, since so much depended upon the character of those appointed to it. He thought it was a wise provision not to at once extend legislative powers to the new territory. In the chief settlement, Prince Albert, there were not at present more than 500 inhabitants, but when they increased to 1,000 or more, and the other settlements had increased in the same ratio, he thought it would be right to give them local legislative powers. His objection to the North-West Council as at present constituted was that many of its members knew nothing more of the country than gentlemen on the floor of this House who had simply heard of the North-West as they had of other far distant countries. However, there were at least six of them who knew it intimately, but it would be a most invidious thing for these gentlemen to get up and tell their fellow-councillors that they knew nothing at all about it. It would be admitted that very frequently those who were the least acquainted with a subject were the most ready to give advice. He thought on the whole it was very much better that they should have the Council proposed in this Bill, and that those who formed the new Council should have an intimate local knowledge of the country, and be connected with its interests. The right hon. member for Kingston seemed to think that it would be an objection to have the Council at Fort Pelly, having in view the interests of the country eastward of Fort Garry. He was himself of opinion that the interests of that country for some time would be of such small importance that the location of the Council would not be a matter of such great consequence. With regard to the disputed boundary between Manitoba and Ontario, the people there would be very glad to find that a port on Lake Superior belonged to them by right, but he hoped that whether it did or not the people of Ontario would give it to them as a matter of grace. The point brought up by the hon. member for South Ontario was an important one, and he was glad to find that the First Minister intended to introduce a provision in Committee, dealing with the subject. He had not noticed from the explanations given that there was any intention to give a representative to the North-West at Ottawa. Without some such provision he did not see how the North-West could have a voice in the legislation of this Dominion, and he strongly contended that there should be at least one member to represent its interests here. It would give a great deal of satisfaction in this country, and he thought it would be at least a matter of justice to the North-West. He hoped stringent measures would be taken to prevent the introduction of goods without payment of duty, as such practice was injurious to the honest merchants who paid the duties. At present the revenue laws were evaded by bringing in goods by way of British Columbia.

Mr. SCHULTZ said that those who were acquainted with the North-West Territory would agree with him that it was a most difficult matter to establish a proper and efficient system of Government there. He was very much pleased with the general features of the Bill. He dissented from the view of the hon. member for Kingston that the Lieut. Governor of Manitoba could efficiently administer the Government of the territories. That system had proved a failure, and though he was a member of the council he must frankly admit that it was impossible for them under the circumstances to efficiently carry out the laws in the territory. He believed with the member for South Bruce that we must have a strong Government in that territory. There was a moral power in the cocked hat of a Governor, and in the coat of a policeman. Large powers should be given to the proposed new council. It was not advisable in his opinion to give representative institutions to that territory just now. However, he would discuss the details of the measure at a future stage, and he hoped the Government would receive in a kindly spirit the suggestions of those who were familar with the condition and wants of that country. With regard to the mounted police, he must say that under its present able commander it had proved a very efficient force. He regretted that the Government decided upon Fort Pelly as the seat of Government for the North-West, as in his opinion it possessed no recommendation except the fact that it would have telegraph communication. However, as there was a provision in the Bill for a change in the seat of Government, if it was deemed advisable he would raise no objection on that head.

Mr. MILLS said there were several important features in this Bill which would require special attention. One was that relating to the powers given to the Lieut. Governor in Council. The Premier spoke of their having power to establish schools, build roads and bridges and do other works of a municipal character. It was extremely doubtful whether the Governor in Council could have any of these powers. It was proposed to furnish the money for these objects out of the Dominion Treasury then it might be done, but the Crown itself had no power to impose taxes upon any portion of the community, and of course could not delegate to any Lieut. Governor in Council powers which it did not itself possess. It could not authorize a Governor in Council to establish a municipal system and provide for the taxation of the people.

Sir JOHN A. MACDONALD—It can be done by statute.

Mr. MILLS—That is another matter. If it was intended, therefore, that these things should be done, it seemed to him provision must be made in the Bill for their being done by Parliament. There was another matter it seemed to him ought not to be disregarded ; and that was the terms and conditions under which these people would ultimately be formed into a Province. It would be better that the people who settle that territory should know beforehand the terms and conditions under which they would become an organized part of the Dominion. He saw no objection, when the population became sufficiently large, to allowing that territory to be represented in the Dominion Parliament before it was organized into a Province. By and by we would be called upon, when Provinces came to be organized in that territory, to state what liabilities the Dominion should assume, and what revenues should be given to the Local Government, and it seemed to him it was just as well that this should be done at the beginning so that there would be no room for dispute or difficulty in the future. If some definite plan was adopted, the people would become accustomed to it, and no embarrassment or trouble would arise when it came to be carried into effect. Those who observed the American territorial system of government would notice that from the time the first government was organized under the ordinance enacted by Congress in 1787, till the establishment of the last territorial government, there was scarcely any difference in the plan of government, and they had never found it necessary to depart from the general principle laid down in the ordinance of 1787. It seemed to him we ought not to refuse to profit by the experience of others under similar circumstances to our own. In order to accomplish the object he had suggested, the Government should know what moneys they had expended on public buildings and works in these territories, which might afterwards become the property of the Local Government, and in that case it would only be fair that when the time came for the admission of the territory into the Union, the money so expended could be charged to it as a public debt. He saw no difficulty in this being done, but thought it should be embraced in the fundamental law. The hon. member for Northumberland had stated that Manitoba should have a sea-port town and its boundary ought to be extended to the shores of Lake Superior. If the hon. gentleman would look into the question, he would find Ontario had something to say on that matter, and he had no hesitation in saying—seeing that it was to be decided on judicial principles—he did not think it was competent for the Dominion Government to decide it otherwise than was proposed. Under the Quebec Act of 1774, the western limit of what now remained to us as the old Province of Quebec was fixed at the forks of the Saskatchewan, and the head waters of the Mississippi. By an Order in Council that was adopted in 1791, it was declared that the western limit of the western portion of Quebec, erected into Upper Canada, shall extend to what is known as the western limit of Canada under the French. That, he apprehended, would extend to the Rocky Mountains. That country was taken possession of by the French. They established forts at several points in the Red River territory and the most western fort was at the forks of the Saskatchewan. They had appointed Captain LA CORNE to govern the territory under a license from Quebec. The whole country was occupied by the French Government as part of Canada, and was made by the Order in Council of 1791, part of the present Province of Ontario. The late Government had organized the Province of

Manitoba within those limits but he apprehended if a judicial decision should be sought from this arbitration instead of extending the boundary of Manitoba to the shores of Lake Superior, this Parliament would be called upon to compensate Ontario for a very considerable portion they had acquired from that Province.

The Bill was read a first time.

THE NORTHERN RAILWAY.

Hon. Mr. MACKENZIE moved that the clerk read the resolutions regarding the Northern Railway Company adopted last session.—Carried.

The resolutions were accordingly read.

Hon. Mr. MACKENZIE asked leave to introduce a Bill to re-arrange the capital of the Northern Railway Company of Canada, to enable the said Company to change the gauge and to amalgamate the Northern Extension Co., and for other purposes. He said the object of the Government was to give effect to the resolution of last session, and make this financial arrangement with the Company, but at the representation of the Company, the Government had agreed to have a Bill introduced incorporating these several objects. Practically the Northern Extension and the North Grey Railroads were part of the Northern Railway system. They had what might be called a permanent agreement, and therefore a complete amalgamation of these Companies with the Northern Railway was a mere matter of course, and though the provisions relating to the amalgamation had no place in this measure, he agreed to allow it to be considered in connection with it. The several clauses of the Bill simply provided for the manner in which the Government were to receive the sum stipulated in the resolutions and made a priority for their own bonds in addition to the £100,000 sterling. In regard to the shareholders who were practically shut out by the Acts now in force, he had a great many representations from the holders of ordinary shares in reference to their position. They were extremely anxious to be placed in a position to organize the Company themselves. To some extent an opportunity had been afforded them to see what they could do. The attempt was an utter failure, and one of the clauses now provide that it should be left to the Company—that was, practically, the bond-holders who controlled the Company—to commute the shares so as to extinguish them at a certain time. He had not thought it desirable that the interest held by the city of Toronto and the county of Simcoe should be considered at all, but rather were contributions of $200,000 each to this railway. They were treated simply as bonuses, though the Bill provided they might still retain a part of the direction of the road. The Bill provided also for the appointment of a Government director, who should control the financial expenditure until the full amount mentioned in the resolutions should be paid.

Hon. Mr. BLAKE said the Premier had combined with a public measure provisions which were essentially features of a private Bill. The clause referring to the amalgamation of the companies should have been introduced as a private Bill. In fact, all the features of the measure, except those relating to the Government debt, were subject matters of private legislation, and private legislation must be proceeded with in a regular manner. What did this Bill propose? There were private shareholders in this road, a considerable number of them, and also the city of Toronto with its £50,000 stock, and the county of Simcoe with £50,000 more. It was proposed that individual shareholders should be commuted on certain terms, but the shares of the city of Toronto and the county of Simcoe were to be considered as bonuses. He thought Toronto and Simcoe had a right to be heard on that matter, and this part of the measure be introduced as a private Bill in the regular manner and dealt with as such. He would discuss the question of the amalgamation of the companies at a future stage of the Bill, if Mr. SPEAKER should rule that it was in order to combine with a measure for the remission of a public debt provisions which were essentially features of a private Bill.

Hon. Mr. MACKENZIE said he was prepared to eliminate these features from the Bill. They were introduced by the law clerk in conjunction with the committee of the shareholders who were here, and the solicitor for the company. The hon. member for Muskoka had a Bill relating to the Northern Railway and those provisions should have been in his Bill. It could be done yet if the notice covered

it. As to the provisions in this measure with regard to private shareholders, they were introduced with the consent of the shareholders' committee, and he understood that all parties were quite agreed on the subject.

Mr. SPEAKER said the provisions of the Bill which were of a private nature should be dealt with as a private Bill.

The Bill was withdrawn.

PACIFIC RAILWAY.

On concurrence in item No. 72, $6,250,000, for the Pacific Railway,

Hon. Mr. TUPPER asked for further explanations from the Government.

Hon. Mr. MACKENZIE thought that the Governement or any private member submitting a proposition would have the right of reply.

Hon. Mr. TUPPER said that after his speech the other night, which was unanswered and unanswerable, he had hoped that the Premier, having had some time to reconsider this important question, might have been enabled to make such a statement as would not compel him to continue his opposition to the present Government policy.

Hon. Mr. MACKENZIE thought he had made a very exhaustive statement in proposing the vote, and if the hon. member would indicate what would satisfy him, he would be willing to make further remarks. He had said all that he had thought necessary under the circumstances, and all he now proposed to do was simply to notice two or three remarks upon which the hon. member for Cumberland had laid much stress. First, as the personal honor of every member of this House ought to be their first care, he would say a few words in relation to the expressions made use of by the hon. member in connection with some other matters which appeared in the principal organ of the members of the Opposition (*The Mail*). The hon. member for Cumberland said in the course of his speech that he did not mean to insinuate that he (Mr. MACKENZIE) had brought the railway to Thunder Bay for reasons personal to himself, although his first words indicated even that charge; but the hon. member had charged him with listening to the advice of interested friends. He took this opportunity to declare to the House, and to the hon. member, that he was never advised by any friends—he had no friends' interests to serve, and there were no friends' interests served that he knew of; and if the hon. gentleman knew a single fact to justify his expression, he asked the hon. gentleman now to state it, and he would make a reply.

Hon. Mr. TUPPER said the hon., the First Minister, had put the matter in a very pointed manner. He (Mr. TUPPER) had never charged the hon. gentleman with having done anything to promote his own interest in the steps he had taken; but he had stated, and he repeated, that there was so large a difference between the policy propounded to the House by the hon. gentleman last year, and the policy he now proposed—that he feared the hon. the First Minister had listened to the advice of parties who felt a deep interest in diverging the Pacific Railway from Nipegon to Thunder Bay. It was well-known that there were a large number of persons in Toronto who possessed great influence, and who were deeply interested in the development of the mineral lands and other resources of Thunder Bay. Those who had had any experience in the administration of the public affairs of this country knew that when there were great interests at stake, men of great influence generally found some means of bringing that influence to bear as strongly as possible on those who had the control of affairs. He would be very sorry to allow the hon. the First Minister or any member of the House to suppose that he insinuated anything more than that the First Minister had been induced to make a most unfortunate change in the policy proposed by him last session, and in that he was supported by the member for South Bruce, who distinctly stated to the House that he was led to believe that the policy would be different.

Hon. Mr. MACKENZIE regretted that the hon. member for Cumberland could not be more explicit, as he had insinuated a charge which was utterly without foundation. He would state to the House again, that he (Mr. MACKENZIE) did not know a single friend of his, either political or personal, who had derived any benefit from having the road at the Lake Superior end located at Thunder Bay. He was not either induced, influenced or approached by any person in any place, except by the inhabitants of Prince Arthur

Landing, who pressed him, as it was natural they should do, to have the road brought to that place; but it was not carried there.

Hon. Mr. TUPPER accepted fully the statement made by the hon. the First Minister.

Hon. Mr. MACKENZIE said he would read to the House the following statement which was published in the *Mail* the other day:—

"He (Mr. MACKENZIE) tells us his purchases were in the public interest, that he took advantage of a low market, and that if he had waited to a later date the country would in all probability have had to pay higher prices. This may all be as the First Minister states. The prices which he paid seem reasonable, But if there is any force in the contention upon which he and his party have heretofore so strongly insisted, the question of price is of small consequence in comparison with the question of principle * * *. What right had he then to make the purchase? None whatever. With the taint of oil-well scandals and silver 'rings' yet about his skirts, the Premier has surely not yielded to the temptation of enriching another relative by allowing him to purchase these rails for the Government."

He noticed that article because he wished to dispose of the whole matter once for all. The allusion here was one of the repeated insinuations made in that paper lately, that he had something to do with the noted oil-well swindle known as the Prince Company in Petrolia. All he had to do with it was this—that he sent a telegram which cost him $50 to Sir JOHN ROSE warning him that the concern was a swindle, and asking him to put his friends on their guard, which he did, and he referred the *Mail* and all others who were circulating such stories to Sir JOHN ROSE or the banking firm with which he was connected, for proof of the fact, that he saved his own friend Sir JOHN ROSE—for he had always been a personal friend—and saved all with whom he came in contact on the Stock Exchange from losing heavily by that concern, which he was now accused of being connected with. In regard to the statement as to a relative of his having been employed to purchase rails, he desired to state to the House that no relative of his had been employed for any purpose good, bad, or indifferent in connection with any Government work, or anything approaching a Government work. Since he had been in charge of the Public Works Department he had never even opened a tender; all tenders were opened by the principal officer of the Department. He never looked upon them in any way whatever until a report was made to him as to which was the lowest, and the lowest was invariably accepted as soon as the contractor furnished security; and when the contractor was not able to do so the officer of the Department passed in regular gradation down through the tenders until one was reached and the contract closed. He hoped he would not again be attacked directly or indirectly in connection with that matter, but whenever any member supposed that there was the slightest ground for imputation on the conduct of himself or of any of his colleagues let them at once ask for a committee of the House, and they could have their own committee. Of course he quite admitted that the hon. member for Cumberland did not make any personal charge, but the hon. member would also admit that it was necessary to refer to expressions used by him in reference to this matter. Before leaving that point he would tell the hon. member and the House that the only person whose advice he had acted on was Mr. SANDFORD FLEMING as Chief Engineer, and he would give the reasons why he adhered to that advice. The hon. member stated in his speech the other evening that the distance from Red River to Lake Nipegon was 416 miles. It was quite true that the distance to the upper end of Lake Ellen was 416 miles; but the distance to Red Rock, to which the road would have to go, was 426 miles, and the distance from Koninistiguia River to Red River was only 377 miles. If the road were built to Nipegon it would have to be a railroad all the way from Red River, there being no stretches of water in the intervals which could be used for transport purposes. By constructing a line from Fort William to Lake Shebandowan we at once obtain possession of a navigable route; no doubt it was a long circuit, but it was a navigable route in the summer season, by constructing 45 miles of railway to Lake Shebandowan, in a direct line from this point, and passing Sturgeon Falls at the east end of Rainy Lake, we make nearly a direct line from the Falls to Rat Portage. So we are on a line with respect to which we can construct a railroad all the way, if we like; or we can connect with the line that would pass Lake Nipegon 70 miles from Fort William. The object the Government had in view in

adopting their scheme on the advice of the Chief Engineer, was to obtain the most favorable port on Lake Superior. Now, whether Nipegon Bay or Thunder Bay was the most favorable was no doubt a matter of opinion ; but there could be no question of this fact that the mouth of the Koninistiguia River was the only place where we would be enabled to use the navigation of Lake Shebandowan, Rainy Lake, and Lake of the Woods. If we proceeded to build from Lake Nipegon we would have 426 miles of road to build before we could use a single yard of it for through traffic—the entire road must be constructed. By adopting the other line we could use 45 miles at the Lake Superior end and 100 miles at the other end, that was from Rat Portage west to Red River, and have during the summer a navigable route all the rest of the distance by slightly improving the portages and building a lock at Fort St. Francis. The object which the Government and the House had in view last year when this project was tolerably well explained, was to get into that western country as soon as possible, and further to construct lengths of railway that would enable us to attain that object in the first place. He had, therefore, no reason to believe he would differ from him in opinion now, but would approve the policy the Government had adopted. The Government had no intention of building the road for Nipissing or Nipegon, or Thunder Bay, as the case might be, for some years to come. That would depend entirely upon what might be developed in the future. He did not think it was necessary for him to say more on that point, unless some members might choose to ask him some question. The hon. member for Cumberland had alluded to his position being supported by the hon. member for South Bruce. He asked that hon. member to state if such was the fact.

Hon. Mr. BLAKE said he did not hear the observation of the hon. member for Cumberland.

Hon. Mr. TUPPER said his statement was sustained by the speech of the hon. member for South Bruce, in which he stated that the policy of making a connection at Thunder Bay was a change of policy from that indicated by the hon. Premier last year.

Hon. Mr. BLAKE said he did not mean to make that statement, nor did he think he did make it.

Hon. Mr. MACKENZIE said he was satisfied that the hon. member for South Bruce would never back up the hon. member for Cumberland in his views. So far as constructing a line of railway from east to west, he said now, as he said last year, that the route from Nipegon was the shortest from east to west. If we were to diverge from the head of Black Bay, across the ridge that separates it from Thunder Bay, and pass along to Fort William, the line would be from 30 to 40 miles longer than if it should pass direct from Nipissing, past Nipegon and straight on to the crossing of the Winnipeg River at Rat Portage. He never denied that, and he did not deny it now. But he said, if we had commeneed at Lake Nipegon we would have to build 426 miles before we could use one mile, while by beginning at Fort William and building 145 miles we would bring the territory within three or four days travel of the waters of Lake Superior. He believed hon. gentlemen opposite contemplated, when their project was brought down, not going to Nipegon at all. He proposed to carry the line north of that point, and construct a branch 120 miles long to Thunder Bay. When the hon. member for Cumberland charged him, as he had charged him, with making the expenditure on the road from Koninistiguia River to Lake Shebandowan as one altogether outside of the Pacific Railway scheme, he said that for which he had no reason or justification. With respect to the branch line from French River east for a distance of 85 miles, it was expressly provided for by the Act of last session, and the Government were simply carrying out the law of the land in relation to that matter. With respect to the comments made by the hon. member for Cumberland, and of the Opposition Press as to the tenders for the construction of the line to the mouth of French River, he had only to say that tenders were advertised for in the usual way, during a period of from six to eight weeks. The tenders were opened by the officers of the depart-

ment as usual, were disposed of in the usual way, an Order in Council directing the acceptance of the lowest tender put in was passed as usual, and he thought there was nothing of which hon. members could complain, or of which the public outside could complain, unless it were that the price of the work was higher than they expected. He quite agreed in that view, and the tenders were higher than he had anticipated. As to the calculation made by the hon. member for Cumberlond in which he endeavored to show that eight millions were proposed to be spent by the Government on works which were not in connection with the Pacific road, he had merely to say that he had heard so much during the present and the previous session from the honourable gentleman who dealt in millions as boys would with toys, that he paid very little attention to his finanacial calculations. Not only did the hon. gentleman deal with millions as a boy would with toys, but he heaped them up without the slightest regard to the correctness of the premises upon which he based his conclusions. He should have called the amount twenty millions at once which could be done by counting $5 instead of $2 as the price per acre. But the hon. gentleman knew that the Government were endeavouring to get settlers induced to come into the country by giving away the lands for nothing, or selling them at 50 cents an acre; and yet he (Mr. TUPPER), for the sake of creating a false impression in the House and the country, valued them at $2 an acre. However, the hon. gentleman was so much accustomed to make use of hyperbolic language, that his statements had but little effect. When the hon. gentleman began to deal in figures, people began to make allowances for him; as an hon. member had just suggested, such speeches were figurative. The hon. member for Cumberland further stated that the Government had no authority to purchase steel rails. He (Mr. MACKENZIE) believed they had. The tenders would be laid before the House, and it would be competent for them to pass whatever opinion upon them they liked, He believed the Government acted in the best interest of the country. The hon. member for Cumberland said the rails were bought in a falling market. He could not have looked at the prices prevailing when that statement was made. A week after the transaction was closed, a gentleman telegraphed to him (Mr. MACKENZIE) from Montreal that $100,000 could be made by the bargain, and he had since been put in possession of a statement of prices from which it appeared that the market was struck at the best possible time. That an excellent bargain was made there could be no doubt. He directed attention, for proof of this, to the purchases made by the Governement of which the hon. gentleman was a member before they went out of office, at the rate of from £15 to £17 sterling per ton. The Government believed the price to be the lowest possible. Mr. DARLING and Mr. WORKMAN of Montreal, and other gentlemen who were authorities on the subject strongly advised the course taken, and the chief engineer was equally decided that to purchase rails at the time would greatly facilitate the construction of the work. It must be remembered that the works in the Lake Superior region and in the Red River and British Columbia districts were located where access was exceedingly difficult, and unless everything were got ready as soon as possible, we could not expect to make much progress for two or three years. He was himself of opinion, and the Government were of opinion, and the engineer was of opinion, that by having a supply of rails at the Koninistiguia River and other convenient points, the work could be advanced by a whole year. If the hon. gentleman thought the Government had done wrong in this he (Mr. MACKENZIE) had simply to say that the Government were amenable to Parliament. The hon. gentleman knew the course open to him, and the Government were prepared to stand by the result.

Mr. RYAN said this was a subject of the very first importance to Parliament. Every Canadian was deeply interested in the success of the enterprise, for it was the first great national work our Dominion had undertaken, the successful accomplishment of which would not merely be a national advantage, but a great national honor. But deeply interested as we all were in the success of the project, there was no portion of the Dominion had a deeper interest in it than the Province of Manitoba. In the other Provinces men looked upon the scheme as a manifestation of the business energy and patriotism of the Dominion; but to the people of

Manitoba it was a necessary part of their existence as a portion of this Confederation. The eastern Provinces had the Atlantic Ocean ; the Pacific ocean washed the shore of British Columbia ; the Provinces of Ontario and Quebec had the magnificent St. Lawrence in summer, and the Grand Trunk and Intercolonial Railways in the winter ; Manitoba alone was isolated. North of them they had the snow and ice bound Hudson's Bay, east of them the almost trackless territory of Lake Superior and Red River, west of them the great Lone Land : and on the south they were met by the protective policy of the United States, which was almost as impervious to trade as the deserts with which upon other sides they were surrounded. There were few in Manitoba to-day who could have been induced to go there unless the Dominion Government had promised to build the Pacific Railway, and in nineteen cases out of twenty they had invested their means and settled down, not where in the meantime it would have been absolutely most profitable, but where they were led to believe the line of the Canada Pacific Railway would pass. This they had been led to do by maps professing to give an outline of the route, published by the Dominion Government, and furnished by the Dominion Lands Office at Winnipeg. The information thus afforded, it might be stated, constituted no obligation upon the Government, but it exercised a considerable influence upon settlers in the investment of their money. It was, therefore, with universal regret that the people of Manitoba learned the unalterable intention of the Government was to cross Lake Manitoba at the Narrows instead of passing to the south of the Lake, as was originally intended. It was urged upon them that the line south of the lake would traverse the best country for settlement—a country, indeed, partially settled already —the country having the best climate, the country having the most productive land ; but all these arguments, and other arguments equally strong, were met by the statement that the proposed route was thirty miles the shorter. Since the policy of the Government in that respect had been endorsed by gentlemen upon the Opposition side of the House, since the hon. member for Cumberland had declared that a saving of distance was a first consideration in regard to the Pacific Railway, he supposed the people of Manitoba had nothing left them but to bow to the policy of the nation—a policy which inflicted a great loss upon their little Province, but appeared to be a great gain to the whole Dominion. He did not rise for the purpose of discussing which was the best route ; he simply rose to call the attention of the Government and the House to the fact that by crossing Lake Manitoba at the Narrows, even with the Pembina Branch, the whole country south of the Lake would be left absolutely without railway communication. Without a railway it was impossible to open up a prairie country. Illinois, and other Western States of the American Union, which to-day were blossoming like gardens, were uncultivated and unreclaimed until they were traversed by the iron road. The railroad was the natural road of the prairies, and the experience of the West had proven that the locomotive was in nearly all cases the pioneer of settlement, If the road must cross the Lake at the rapids, and if it did not traverse the country to the south, he thought, since the work was proposed to be accomplished by private enterprise, that the Government should at least extend some assistance. To those who might raise the objection that this was a Provincial work, and should be assisted, if assisted at all, by the Government of the Province, he had to reply that the forests and uncultivated land, which were the sources from which railways ought to be built, were the property of the Dominion Government ; and the Dominion Government was therefore the proper authority to do all that was necessary towards opening up the lands of the Province, and to assist in projects of this nature. There seemed to be in the House considerable difference of opinion as to which portions of the railway should be constructed first, and which were most required for the opening up of the country. So far as the portion of the road west of the Rocky Mountains was concerned, he had nothing to say regarding it. Its construction was regulated by an agreement made between the Dominion and the Province of British Columbia. But if Canada was ever to become a great nation, if we were to be really and truly independent, if we were to stand ready and able to defend her liberty, if it were attacked on the Southern side, by the

strong arms and stout hearts of her sons, rather than by the good graces of Uncle Sam; then it was out upon the plains of the North-West that our destiny had to be solved. To open up that vast country, to pour into it a thrifty population drawn from the over-crowded cities and towns of Europe, ought to be the aim of all Canadian statesmen and the purpose of those in whose hands was the building of the Pacific Railway. This was not to be done by frittering away the resources of the country in building portions of the road which it would be unnecessary to build for ten years, and which would be constructed by private enterprise when required. Nature had furnished us with an admirable chain of water communication, unrivalled in the geography of the world, which, during the open season, at least, would always be able to compete successfully for the traffic of the country. In opening up the North-West, we should utilize this chain of lakes as much as possible.

It being six o'clock, the House took recess, Mr. RYAN still having the floor.

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AFTER RECESS.

The following private Bills were read a third time and passed :—

Mr. BOWELL—To incorporate the Intelligencer Printing and Publishing Company.

Mr. CURRIER—To incorporate the Lower Ottawa Boom Company.

The following Bills were read a second time :—

Mr. JETTE—To incorporate the Canada Land Investment Guarantee Company.

Mr. JETTE—Act further to amend the Act 14 and 15 Victoria, Chap. 36, incorporating The Canada Guarantee Company.

Mr. BLAIN — To incorporate the Dominion Railways Equipment Company.

Mr. BABY — To amend the Act 37 and 38 Victoria, Chap. 115, relating to the Intercolonial Express Company.

Mr. BUELL — Act respecting the Canada Central Railway Company.

Mr. PLUMB — To provide for the amalgamation of the Niagara District Bank with the Imperial Bank of Canada (from the Senate).

THE PACIFIC RAILWAY.

Mr. RYAN resumed his speech. He said he was speaking, when the House rose for recess, of the manner in which the Canada Pacific Railroad was being constructed. The Government had agreed to subsidise the Canada Central Railroad and the Georgian Bay Branch, to the extent of about four and a half or five millions of dollars, at a very moderate calculation. It seemed to him, under the present circumstances, that this expenditure was wholly inadvisable. The Georgian Bay Branch and the extension of the Canada Central, even though they be considered by the House as portions of the railroad, would not be required for the next eight or ten years, and the policy of the Government in this respect, was not sound. Already there were rumours of deputations from the West, and, he very much feared, before the end of the matter was reached, the Government would have to subsidise more Ontario railroads, whereas if they had left the road as it was, this portion would have been built by private enterprise when the time arrived for constructing it. Manitoba had been for the last three years crying out for railroad communication with the east. To that Province it was a matter of life or death, and when these facts were considered, the Government would find it extremely difficult to justify so large an expenditure as the item under consideration. They also proposed to build a branch of 45 miles from Fort William to Shebandowan and to expend $390,000 in improving the chain of lakes which constitute the Dawson Route. He thought this large expenditure was very ill-advised. Supposing this route was completed what would it amount to? It was half land and half water, an amphibious route which would be wholly inadequate to meet the requirements of the North-West. The first freight for exportation from the North-West would be grain, and he was inclined to believe that there would be plenty of it long before the gentlemen on the Treasury Benches seemed to expect it. Supposing the road were completed to-morrow, and Manitoba had a million bushels of grain to export, would it pay to send it to Lake Superior by such a route on which it would be necessary to break bulk and

transhipment several time? Nothing but an all rail route would suit that Province, and it must be built at the earliest possible day. During the discussion in committee the other day, there was something said as to the advisability of building the Pembina Branch. Now, his opinion was that the building of this branch under the present circumstances was a necessity, not caused by the requirements of the country, but by the shilly shallying, dilatory policy which the Government had shown in dealing with the building of the Pacific Railroad. Had the Government—he did not refer to this Government particularly, but to both Governments—lent all their energies to the building of a road from the shore of Lake Ellen to Red River, this Pembina Branch would not be required. It was not good policy for this country to send freight over American lines any longer than they could help. As a colonization road it would be of very little use, running as it did for 82 miles almost parallel with the Red River. If there was a river in the North that was really navigable, it was precisely that portion of the Red River with which the Pembina branch would eventually come in competition. Although it was late in the day now, he was satisfied if the Government would give as an alternative to the people of the North-West this Pembina branch and the half-rail and half-water between Fort William and Fort Garry, on the one hand, and an all rail route from Fort Garry to Lake Ellen on the other, the unanimous opinion of the people of the North-West would be in favor of the latter. He had heard a great deal of the magnificent stretches of water communication in the North-West. He had been very nearly three years in that country, and during that time it was his good fortune to converse weekly—almost daily—with traders and others who traversed the great West and it was their impression that these magnificent stretches of water communication existed for the most part in the imagination of Canadian orators. We had in reality only one magnificent stretch of water communication available, the St. Lawrence, and for the purposes of this work it would terminate at Thunder Bay on Lake Ellen. The rivers of the North-West were like the rivers of all other prairie countries. They were shallow, meandering and full of sand bars which were continually shifting. The Government would spend less in building a railroad along their banks than would be required to keep them navigable, and, after all, they would come to the conclusion that the only means of settling and developing the country was the railroad. Of all the railroads which were now being built, or in contemplation, the only one which would form a part of the Pacific railroad was the section from Rat Portage to Red River. If the money asked for the construction of the two sections between Lake Superior and Red River, and for the Pembina branch had been expended in building the main line of the Pacific Railroad, it would leave only 184 miles to be constructed between Fort Garry and Lake Ellen, and the subsidy to the Georgian Bay branch and the Canada Central Railroad would go a great way towards the construction of that 184 miles. It had been urged by the hon. member for South Bruce that as the Government had appealed to the country on their policy, and been sustained by an overwhelming majority, it would not be fair to change it now. His (Mr. RYAN'S) impression was that the verdict of the people at the last general election, was not on the Pacific railroad but on the Pacific scandal. If the Government were to go to the country to-morrow, and place their present policy of building the Pacific Railroad, before the electors, he (Mr. RYAN) was satisfied the people's verdict would be entirely different from that which they rendered on that occasion.

Mr. IRVING said he thought the manner in which the hon. gentleman from Marquette had disparaged the expenditure which the Government was making for the benefit of Manitoba would hardly be approved of by the people of that Province. If he understood the hon. gentleman correctly he was prepared to give up the Pembina branch and confine his Province to the one road from Red River to Lake Superior, which by reason of its geographical position must be inaccessible for six or seven months in the year. That was not the sentiment of the people of Manitoba. They desired if possible an all rail route through our own territory, but awaiting that they were anxious for the Pembina branch at once. He was satisfied on that point from the inquiries he had made during a short stay in that Province. Every patriot desired that as

soon as possible we should have the means of reaching the North-West through our own territory, because it was well known that every immigrant that went through the States on the way to Manitoba had his ears filled with stories adverse to our country. He therefore held that under the circumstances of the case the Government were right in utilizing the Dawson Road till Manitoba had became sufficiently developed to furnish a traffic that would justify the building of a railway from Thunder Bay to Red River. The hon. member for Marquette had stated that wheat could not be exported from Manitoba by the means the Government proposed to provide at a remunerative price. There were two answers to that statement. In the first place it would be eight or ten years or more before Manitoba would grow wheat enough to serve the population going in there. At the present time the Red River was crowded with craft bringing wheat from the United States into Manitoba. When that country produced a surplus of wheat over home consumption it would be time enough to speak of an all rail route to Lake Superior. In the second place Manitoba was not so far from Lake Superior, when this all rail route was completed, as many of the present grain-growing States were from Chicago. His hon. friend went out of his way to cast a reflection on the Dawson Road. He believed the hon. gentleman had never been over that road, but all those who had been over it and were acquainted with it, would admit that after the expenditure the Government proposed to make on it, it would be a good summer road—one that would suffice for several years, and which would save the expense of building an all rail road. When his hon. friend spoke of shifting sands and sand bars he took it that he spoke of the Saskatchewan and other rivers far west, of which he (Mr. IRVING) believed his hon. friend knew nothing. With reference to the water communication on the Dawson route, the water was unusually deep, and the locks and portages were trifling. Under these circumstances he approved of the proposal of the Government to utilize in the meantime that water communication.

Mr. RYAN desired to say a few words in reply. If he misrepresented the sentiments of his Province, as the hon. member for Hamilton had charged him of doing, he was amenable to his constituents; and he would like to know to whom the member for Hamilton was responsible if he chose in the interest of the Government or any other interest to make such statements as those he had just made. He differed from the view of the hon. gentleman that Manitoba would have no wheat to export for eight or ten years. On the contrary he believed if Providence blessed them with good harvests, in two years they would have large quantities of wheat to export. Respecting the remarks of the hon. gentleman with reference to the Dawson road, he (Mr. RYAN) reminded the hon. gentleman that he had not spoken of the Dawson road. He spoke of the proposed Government road, and if he had not been over it he did not think his hon. friend had either, and if the work was not pushed any faster than it had been he was afraid he never would go over it. With regard to the shifting sands in the rivers of Manitoba, he had stated his sources of information. He had spoken to trappers, who had been over the country for years; and he was satisfied his information was correct.

Mr. DECOSMOS said he would endeavor to draw the attention of the House, and through the House the country, to some points that the country ought to understand. With relation to the Pacific Railway as regards the Province of British Columbia he was free to accept the situation. He was unwilling to use any influence which he might possess to raise any factious opposition to the decision rendered by the arbitrator, Lord CARNARVON. In saying this, however, he merely confined himself to British Columbia. When the contract for the Georgian Bay branch and the subsidy to the Canada Central came up for discussion he might have something more to say. He congratulated the First Minister on his lucid exposition of the affairs of the Pacific Railway, and said that when he spoke of the line taking the route by way of Bute Inlet he but echoed the judgment of the people of British Columbia, and all who wished to see a national highway across this continent. Having said that he would refer to some other matters—matters which had engaged the attention of the British public,

and which had been distorted by the party press of this country. He regarded the course of the Government in dealing with British Columbia with respect to the Pacific Railway as a great political blunder; and he would prove it. The people of British Columbia exacted from this Government nothing but what the Dominion could fairly discharge without imposing additional burdens upon the people. They were as loyal and patriotic a portion of the people of the Dominion as could be found anywhere, and all that they asked was that the railway should be commenced, and commenced at once. If the financial ability of this Dominion was not sufficient to build the road in seven years, they would be perfectly willing to allow fifty or seventy years. Now, what do we find? We find that the party now in power had over and over again denounced the construction of the railway, and these men who were bold enough as statesmen, working in the interest of the consolidation of this country, to undertake it. But when they came into power they said to themselves "We have said that the Pacific Railway is wrong, but now we have to prove it is wrong." According to the member for South Bruce it was a mad bargain, and according to the First Minister, as stated in one of his despatches, it was an act of insanity; but such would not be the verdict of posterity. When that party came into power they sent an agent to British Columbia when they ought to have sent surveyors to locate the line and navvies to build it. It was stated that the Government of British Columbia refused to treat with Mr. EDGAR because he had no credentials. He (Mr. DECOSMOS) was not here as an exponent of the British Columbia Government, but he knew they treated the Dominion agent with all due respect so far as his written authority entitled him to. That agent, over and over again, went to a certain gentleman in British Columbia to get his credentials from the First Minister in order that he might negotiate for a relaxation of the terms of union. To that statement he defied contradiction, and if necessary he could give the gentleman's name. The Local Government then asked the Dominion Government if they would endorse the action of Mr. EDGAR, and the answer they got was that the proposal was withdrawn. If there had not been so much hot temper shown in this matter—so much desire to override a small Province—so much of the feeling exhibited by the member for South Bruce in his famous Aurora speech—if there had been less of that feeling of insolence which dictated the withdrawal af the proposal of Mr. EDGAR,—and if there had been more of that feeling of magnanimity which recognized the fact that British Columbia was a young country and expected assistance in her youth which she would return ten thousand fold—there would have been much less trouble over this whole matter. In an Order in Council of the Government of this Dominion it is said that the smaller Provinces should pay great respect to the opinion of the larger Provinces. In other words the larger Provinces were to govern the country. If the First Minister after having committed the first blunder in the case of British Columbia had said that Mr. EDGAR was his authorized agent, he believed that instead of an appeal to England, the difficulty with that Province would have been easily settled. He would say more—and he was assured of this fact by the members of the British Columbia Government—that they were not afraid to go to the country, but were willing to appeal to the people on any proposition they might have agreed to with the Dominion about the railway. What the Government, however, required to know was whether the agent of the Federal Government who was sent to that Province was authorized to make terms, and *binding* terms. He would now refer to some of the utterances of the hon. member for South Bruce. While he admired that hon. gentleman's eloquence on some occasions, he had to differ with him as a collater of facts; his logic was often wrong, simply because it was based on false premises. The hon. gentleman then quoted from a speech made by the hon. member for South Bruce in the course of which he said it would have been in the interest of this Dominion if the arrangement which had been made that Esquimault should be the terminus of the Pacific Railway, had been cancelled by the new arrangement entered into. What was the history of this whole ques-

tion? When the delegates from British Columbia in 1870 returned home they carried with them simply the condition that the railway would be built from the eastern seaboard to the Pacific. No sooner had they returned than public opinion expressed itself in condemnation of the mission from the terms of Union of any provision that the chief port of British Columbia should be the terminus of the railway. Subsequently the predecessor of the hon. First Minister, the Hon. Mr. LANGEVIN, visited British Columbia. That gentleman took a steamer and visited portions of the coast as well as the interior. The result was that one or two places were determined upon as suitable for the terminus, Alverni or Esquimault, or both. In 1871 the British Columbia members were chosen for the Dominion Parliament. Shortly after they arrived in Ottawa, Sir GEORGE CARTIER introduced his Canadian Pacific Railway Bill. After the Opposition members, some of whom were now members of the Government, had aired their eloquence regarding the eastern terminus of the railway, he (Mr. DECOSMOS) rose in his place and stated that they desired the terminus on the Pacific coast to be determined upon. Mr. LANGEVIN on that occasion stated on behalf of the Government that they had decided to make Esquimault the terminus of the railway. That might not have been stated in any Act, but common sense was often found outside of an Act of Parliament. Lord LISGAR, in a despatch, had stated that the route of the Pacific Railway could only be settled after Confederation, and after explorations and surveys ordered by the Dominion Parliament in which British Columbia would be represented, and he directed the attention of the House to this fact that it was stated on the floor of the House that Esquimault should be the terminus of the railway. He read a copy of a report of the Committee of the Privy Council, approved by the GOVERNOR GENERAL in Council, dated the 7th June, 1873, which stated that a Committee of the Council having had before them the memorandum of the 29th May last of the Chief Engineer of the Canada Pacific Railway, and the Minute of Council dated the 30th of May—they recommend to HIS EXCELLENCY that Esquimault on Vancouver Island should be fixed as the terminus of the Canadian Pacific Railway —and that a line of railway should be built between the harbor of Esquimault and the Seymour Narrows on the same Island. The despatch of Lord LISGAR stated that the road would be settled upon after deliberation and survey. Who could be a better judge than the chief engineer of that railway who was the paid officer of the Government and who the First Minister had just stated to the House was the only person he had consulted. He denied the statement of the hon. member for South Bruce that it would have been well if the arrangement that Esquimault should be the terminus had been cancelled, and he was able to do so after spending 20 years on the Island. There was only one port he was sorry to say south of British Columbia until one got to Santiago, on the Mexican border, with the exception of San Francisco. When you pass the north-west point of Washington territory on the Pacific coast you have only one good available harbor within Canada, and that was Esquimault, which was the only port trans-Pacific steamships might approach at all seasons of the year, and at any hour of the day. If any other point had been decided upon it would have been unfair to that port. The hon. member for South Bruce had quoted from the report of the committee of the Privy Council dated 8th July, 1874, the following statement:—

"The propositions made by Mr. EDGAR involved an immediate heavy expenditure in British Columbia not contemplated by the terms of Union, namely the construction of a railway on Vancouver's Island, from the Port of Esquimault to Nanaimo, as compensation to the most populous part of the Province for the requirement of a longer time for completing the line on the mainland. The proposals also embraced an obligation to construct a road or trail and telegraph line across the continent at once, and an expenditure of not less than a million and a half within the Province annually on the railway works on the mainland, irrespective of the amounts which might be spent east of the Rocky Mountains, being a half more than the entire sum British Columbia demanded in the first instance as the annual expenditure on the whole road."

Now, perhaps, the hon. gentleman, who was in the cold shades of Opposition when the treaty was made with British Columbia, knew more about the country than any one who voted for the treaty, he (Mr. BLAKE) voting against it. But he (Mr. DECOSMOS) knew this, that when the British Columbia delegates returned from Ottawa

they mentioned Alverni and Esquimault as among the probable ports for the Pacific terminus. He defied the hon. member for South Bruce to find either in the proposition of Mr. EDGAR or in that of Lord CARNARVON, any statement to show that the railway on Vancouver Island was to be built as compensation for the delay in the construction of the Pacific Railway, and if it could be shown there was he would be glad to admit his error. He would quote what Lord CARNARVON said about compensation. It will be found in his despatch of the 16th August. The words are as follows :—

"The offer made by the Dominion Government to spend a minimum amount of $1,500,000 annually on the railway within British Columbia, as soon as the surveys and waggon road are completed, appears to me to be hardly as definite as the large interests involved on both sides seem to require. I think that some short and fixed time should be assigned within which the surveys should be completed; failing which some compensation should become due to British Columbia for the delay."

If the hon. member for South Bruce would turn to the despatch of Lord CARNARVON, he would see that there was no word of compensation with respect to Esquimault and Nanaimo. What Lord CARNARVON did say was :—

"I think that some short and fixed time should be assigned within which the surveys should be completed ; failing which some compensation should become due to British Columbia for the delay. Looking, further, to all the delays which have taken place, and which may yet perhaps occur ; looking also to the public expectations that have been held out of the completion of the railway, if not within the original period of ten years, fixed by the terms of Union, at all events within fourteen years from 1871, I cannot but think that the annual minimum expenditure of $1,500,000 offered by the Dominion Government for the construction of the railway in the Province, is hardly adequate. In order to make the proposal not only fair but as I know is the wish of your Ministers, liberal, I would suggest for their consideration whether the amount should not be fixed at a higher rate, say, for instance, at $2,000,000 a year."

If the compensation came in at all, it came in here. Hence the remarks of the hon. member with regard to compensation were altogether out of place. The question of the railway from Esquimault to Nanaimo was settled in this House, it was settled by the decision of the Government, it was settled by Order in Council, it was settled by the engineer in charge in British Columbia driving his stakes and marking his lines. The hon. gentleman tried to show that in building this portion of the railway, the Government were giving something away to British Columbia ; but he contended that it would be a portion of the Grand Trunk Line across the Continent and not a branch at all. Then he came to the Government. The hon. member for South Bruce was found quoting from the confidential instructions of the First Minister to Mr. EDGAR. And what did they find in these instructions ? They found, in the first place, that one Government had agreed with the people of British Columbia to do one thing, and the next Government taking a course which in his judgment, and in the judgment of this Dominion, was most indefensible. And the hon. gentleman quoted the most indefensible clause of these confidential instructions which was as follows :—

"You will take special care not to admit in any way that we are bound to build the railway to Esquimault or any other place on the Island ; and while you do not at all threaten not to build there, to let them understand that this is wholly and purely a concession, and that its construction must be contingent on a reasonable course being pursued regarding other parts of the scheme."

Just imagine the First Minister of the Crown—the chief of the Executive of Canada, who was supposed to be the guardian of the rights of all the Provinces, putting into a confidential document an instruction not to threaten. He regarded this whole utterance as one worthy of a man who would willingly break an agreement solemnly entered into by the Dominion of Canada with the people of British Columbia. He called attention to the whole history of the transactions up to that point, and they all went to show that the Government of Canada had agreed that Esquimault should be the terminus of the Pacific Railway ; yet the Premier would have them believe that it was wholly and purely a concession ; and that its construction should be contingent on a reasonable course being pursued regarding other parts of the scheme. If that was not bargain and sale, he did not know what it was. Mr. EDGAR in his report did the people of British Columbia justice in one thing, for he said of them that their keen intelligence and zeal in public affairs suggested the parallel in the history of some of the minor states of

ancient Greece or Italy. He (Mr. DE COSMOS) candidly confessed that he believed Mr. EDGAR had indulged in a considerable flight of fancy, but it was perfectly true that the people of British Columbia knew their own business. The Order in Council said that the public feeling of the whole Dominion had been very strongly expressed against the fatal extravagance of the terms agreed to by the late Dominion Government. He would call the attention of the House to the extravagance. There were two well known parties who desired to build the Pacific Railway—one represented by Senator MACPHERSON, and the other by Sir HUGH ALLAN, one of which succeeded in getting hold of the charter. He (Mr. DECOSMOS) took a copy of that charter to San Francisco, and showed it to several capitalists and railway men there, and they assured him that for $30,000,000 and 30,000,000 acres of land without any guarantee, they would be able to build the railway and pocket $50,000,000 to boot. In reply to Mr. EDGAR'S statement that the majority of the people of British Columbia were in favor of the proposal of the Government, he had simply to say that when he returned to British Columbia about the end of September, he found the universal feeling of the people to be that they could have no confidence in any terms offered unless made with the sanction of the Imperial Government. The late Government broke the terms they agreed to, and the present Government wished to relax or repudiate them and to tyranize generally over the people. The hon. member for South Bruce was reported to have spoken at Aurora, had quoted from an Order in Council a certain portion of which he represented to be "If it he found absolutely necessary to secure a settlement." If the hon. gentleman made the quotation correctly. and was correctly reported, it would be noticed that it differed slightly from the despatch sent to the Imperial Government, for in that despatch, the word "present" was inserted before "settlement." The presumption therefore was that when the Order in Council came to be transmitted to the Imperial authorities, the Government found they had made a blunder and did the best they could to correct it. The hon. gentleman had also said that the construction of the road from Esquimalt to Nanaimo was compensation for the delay in commencing the road. There was no foundation for saying anything of the kind. The hon. Finance Minister in his Budget Speech referring to the loan negotiated by him, said "morover, it would "have placed us at a certain disadvantage "with the Imperial Government and "British Columbia if we had asked for an "Imperial guarantee whilst there was any "dispute between ourselves and that Pro-"vince as to the construction of the Pacific "Railway. For all these reasons I ad-"vised my colleagues, and they accepted "the suggestion, that we should negotiate "the loan on our own individual credit." The British Government knew that Canada had violated the compact with British Columbia, and the Finance Minister dare not ask for a loan on the Imperial guarantee while this Government failed to keep their agreement with the Province. The Finance Minister had admitted that the loan money was borrowed at sixteen shillings more on the hundred pounds than the loan negotiated by Mr. TILLEY, involving an annual loss of $160,000 for thirty years, or $4,800,000. This was the amount that the Dominion had lost by the simple blunder of daring to break terms that ought to have been observed. The Vancouver Island section, 160 miles long, could have been built for $30,000 per mile, so that the country had lost the amount necessary for completing a line from Esquimalt to Seymour Narrows through trying to relax the terms with British Columbia. The hon. member for South Bruce had endeavored to create a feeling of dissatisfaction throughout the country. Why did not the hon. gentleman express his opinions by resolution in this House instead of creating irritation among the people? The hon. gentleman had mentioned as something extraordinary that an additional engine would be required at one place on the line to haul trains up an ascent. The hon. gentleman evidently knew little or nothing of railroading or he would be aware that on some of the Western lines in the United States, two or three engines were required on some grades. Either the hon. gentleman knew nothing of railroading or he wished to delude the people into a belief that the road should not be built. It was stated in one Minute of Council that the proposal to build the Pacific Railway within ten years was adopted by this Parliament by a majority of only ten,

whereas on reference to the journals of the House he found the majority was fifteen. In the same Minute of Council it was stated that the terms agreed to were "directory rather than mandatory," but the fact was they were mandatory. In order that the House might understand the subterfuges resorted to by the Government he would call attention to the manner in which the negotiations had been carried on. In the Minute of Council of the 8th of July there appeared this passage :—

"The British Columbia Government had also "complained that the commencement of the "works of constructions had not been made "within the time provided. Sir JOHN A. MAC-"DONALD, however, giving an informal opinion "that the terms as to commencement were "sufficiently and substantially kept by the "active prosecution of the surveys."

In a subsequent despatch, however, they completely contradict this statement, as follows :—

"When the present Government assumed "office, they found that the British Columbia "Government had protested against the non-com-"mencement of works of construction on the "railway on or before the 20th day of July, "1873, as agreed to in the eleventh section of "the Order in Council relating to the Union. "They also found that the means taken by the "late Dominion Government for proceeding with "the works of construction had totally failed, "althought the works preliminary to an actual "commencement had been prosecuted with all "possible despatch."

In the former despatch the Government of British Columbia were denounced although at that time they had a large majority in the Legislature, and were popular among the people. With reference to another statement in one of the despatches he had the authority of Governor TRUTCH for saying that he never gave his assent to nothing more or less than the terms agreed upon between the Province and the Dominion. He would next call attention to a subject which would in all probability excite some little notice. In the Minute of Council of the 23rd July appeared the following statement :—

"It must be remembered that British Columbia earnestly petitioned the Dominion Government to modify the terms of Union in its own favor in relation to the construction of the graving dock. The Dominion Government cordially assented to provide the money for the construction of the work, instead of abiding by the agreement to guarantee merely the Provincial bonds for ten years, as provided by the terms of Union. This at once shows the liberality of the Dominion Government, and their willingness to consider and meet exceptional circumstances wherever they existed. And this manifestation of liberality on the part of this Government, they conceive should have been reciprocated in other matters by the Provincial Government."

The extent of the liberality shown by the Dominion Government in this matter might be learnt from the fact that the graving dock would cost $500,000, and all the money that the Dominion Government proposed to give towards it was $250,000. But that was not all. While the late Government agreed to give $250,000 to aid in the construction of that dock, and the present Government agreed to carry out that arrangement. He was sorry for the sake of the credit and honor of this country to have to say that the present Prime Minister had repudiated that agreement. And, yet, he had the audacity to state in this despatch to the Imperial Government that the Dominion Government had agreed to provide the money for the construction of that work, and took credit for their liberality. One of the amusing portions of this despatch was as follows :—

"There is every reason to believe now that a majority of the people of Columbia would accept the propositions previously made. Judging from a petition sent from the mainland, signed by 644 names (a copy of which petition is enclosed), there is almost an entire unanimity there in favor of these proposals, and assurances were given very lately by gentlemen of the highest position on the Island that the course of the Local Government would not meet general approval there."

That statement he knew personally to be untrue and it was merely made for the purpose of attaing an object. The despatch continued :—

"An application was made by one prominent gentlemen, an ex-member of Parliament, to the Government here, to know if the proposals made would still be adhered to, he pledging himself to secure their acceptance by the bulk of the people."

He was amused when he read that statement. The gentleman alluded to come to British Columbia, and thought he could carry everything before him, but he soon found that he dared not make any public attempt to do what he had promised the First Minister to do. There was another matter out of which a great deal of capital had been made by the Government and their organs. He had been told that originally British Columbia only asked for a waggon road. Now, what did that mean? British Columbia spent $1,000,000 to construct 500 miles of road through the interior of the Province. That would be equivalent to about $20,000 a mile. Supposing the cost

was only half that amount, a waggon road across the continent would cost about one-third of the total cost of the construction of railroad. When therefore the British Columbia delegates came to Ottawa and explained the cost of constructing a waggon road across the continent, it was quite natural that the able and practical men forming the late Government should say that if this road was going to cost so much, it would be far better to undertake the construction of a railway at once; and the result was that they agreed to construct the railway. When the difference between the cost of a waggon road and that of a railway was considered, it would be admitted that the Government acted wisely in agreeing to build a railway at once. The difference between the cost of a waggon road and that of a railway across the continent—for he believed a railway could be constructed from Edmonton to Red River, including rolling stock, for from $15,000 to $16,000 a mile—was not very large. There was another point to which he would call the attention of the House. Probably the hon. First Minister would explain how it was that only one of the petitions from British Columbia appeared in the blue book. The petition in favor of the Government scheme was published along with the despatches, but those that were opposed to it were left out. Having made these explanations, he would not detain the House at any length. He had only to say that he regretted the action of the Government towards British Columbia, in seeking a relaxation of the terms of the union, as a huge political blunder. All that this Government need have done was simply to have gone to work and tried its best to carry out the compact; and the people of British Columbia would have been perfectly satisfied. But the Government had irritated the people of British Columbia by the proposal to change a solemn compact, and had alienated their affections to a very great extent. The people of British Columbia were supporters of good principles and measures rather than of men, and if they believed a measure to be wrong they would vote against it. So far as the new terms of union were concerned, he had nothing further to say; but with regard to the graving dock, he called upon the Government to carry out their obligations or submit to the consequences. He had no doubt that the Government with their large majority would not be afraid of the consequences, but he would tell them that the people of this country made and unmade Governments, and that they would not be likely to sustain a Government very long whose First Minister repudiated a deliberate contract which he had entered into with the Province of British Columbia.

Mr. ROSS (Middlesex) said the House had heard the question discussed from a Manitaba stand point, and from a point of view taken by the members from the Pacific coast; but he would consider it from a different stand point. He would not refer to the terms demanded by British Columbia when it entered Confederation, nor to the very immoderate demands made at that time compared with the very liberal concessions made to her before the Treaty was completed; nor would he call the attention of the House to the very extraordinary obligations which were assumed a short time ago in reference to the construction of the Pacific Railway, obligations which the late Government found itself unable to begin and carry on, and which the present Government, sustained by Lord CARNARVON, had admitted they were unable to carry out. But he wished to view this question from another stand point altogether. He was willing to admit that the people of Ontario together with the other Provinces of the Dominion were interested in the Pacific Railway as a national enterprise. He agreed with those who had already said that it was necessary, if we wished to unite all the Provinces of the Dominion and bring them within easy access of each other, that a railway be built connecting the older and Eastern Provinces with those lying in the Far West. All that he admitted; and yet this House should also consider whether or not the Dominion, in its infancy was able to carry out the obligations at that time undertaken. He agreed that this was not a commercial undertaking by any means, and yet it had a commercial aspect. When we look at the Province of British Columbia and consider the small share it contributes to the revenues of this Dominion, he thought that we should find the representatives of that Province, to say the least of it, a little more moderate, if not a little more modest in the demands they were making on the Exchequer of this Domin-

ion. But let hon. members look at this matter—he did not wish to be sectional, but to put in a fair light before the House. If we look at the revenues of the Province of British Columbia what do we find? That Province, lying on the Western side of this Dominion and occupying a very important position so far as this Dominion was concerned—notwithstanding the degree to which it was magnified in this House—contributed to the national revenue the sum of $360,000, or one seventieth of the whole revenue of the Dominion. We found further that when we took from the revenue of that Province the subsidies which we granted from the Exchequer of the Dominion, we only obtain $100,000 — over and above what British Columbia receives, and this amount would not pay the interest on the construction of 50 miles of the Pacific Railway which the people of the Pacific Provinces were so persistent in desiring the immediate completion of. Were he a citizen of British Columbia, he thought he would not be so immoderate and so persistent in asking the House to undertake such heavy obligations and to push forward the construction of the Pacific Railway to such an early completion. There was still another aspect of this question, and it was this: that a large portion of the Pacific Railway —and that the most expensive portion— would, when constructed, be to British Columbia, to all intents and purposes, a local road. We were to build a line from Esquimault northward to the Narrows, extending over a great part of the Island of Vancouver, a distance of 160 miles. It would not be necessary for the carrying out of the literal rendering of the Pacific Railway Act that the railway should be extended to Esquimault. That was not denied by the member for Victoria, The design of the Act was to connect the railway systems of Ontario and Quebec with the tide waters of the Pacific Ocean, which would be done by reaching Bute Inlet without extending the Railway to Esquimault. So the additional 160 miles was for all purposes a local road. The House had already heard from the member for Victoria of the liberality of the British Columbia Government in constructing 500 miles of waggon road at an expense of $1,000,000.

Mr. DECOSMOS denied having spoken of the liberality of the Government in constructing five hundred miles of road at a cost of one million dollars. What he stated was that before the Union we had constructed five hundred miles of road at a cost of one million dollars, or $20,000 a mile. He said nothing about the liberality of the British Columbian Government. The people accepted the necessity of their position and cut roads through the country which would be an imperishable monument of the energy of the people who were now traduced by some hon. members on both sides of the House.

Mr. ROSS said he would, therefore, call the work of constructing the waggon roads at a cost of $1,000,000 as an "imperishable monument of the enterprise of the people." During the last five or six years Ontario had constructed, or had in course of construction, railroads that would involve an expenditure to the municipalities and taxes to the people to the extent of $18,000,000. What he desired to show was this: British Columbia had no reason to complain when the Dominion unnecessarily constructed 160 miles of railway which in effect was a local road, whereas the people of Ontario had to construct their local roads with their own local funds and resources. There was another view of the question which the people of British Columbia did not look at, viz: that the construction of the Pacific Railway would always be a burden on the resources of this country. Mr. SANDFORD FLEMING, the chief engineer, had estimated that the running expenses of the road would amount to about $8,000,000 annually, and if its construction cost $100,000,000, the interest on that sum must be added to the running expenses in order to obtain the annual outlay. These facts proved that unless the circumstances of the country changed, the railway would be an unproductive work. He might appeal to the patriotism of the people of British Columbia and ask if it was fair on their part to exact the full pound of flesh when the road would be a burden on the country for many years to come.

Mr. DECOSMOS said British Columbia had not got one quarter or one half pound of flesh.

Mr. ROSS regretted that their balances were so much out of order. It was estimated that before the road would pay its running expenses, it would be necessary to throw a population of three millions

people into the country. There was no reasonable hope that the population would be so largely increased for many years to come. The population of British Columbia had not increased very rapidly during the last few years, and taking into account the development of the vast prairies of the west, there was no reason to anticipate that the population of the Pacific Province would be very large within the next fifteen or twenty years. In looking over the increase in population in the States in the Union lying west of Illinois, he found that during the last twenty years their population had increased three-fold, from two millions to six millions. Granting a similar increase of population along the fertile valleys of the Saskatchewan and the district lying west of the Rocky Mountains we had no reasonable expectation that there would be a population at the western terminus of the Pacific Railway that would by any means afford the necessary traffic to make the road a paying enterprise. The trade of British Columbia, at the present time, did not afford the slightest hope that it would furnish sufficient traffic to defray the running expenses. He noted by the export tables of the Province that its whole export and import trade, last year, only amounted to $4,000,000, and we had here very slender hope that the produce of the far West would supply sufficient trade to make the road a profitable enterprise. If a comparison was made between the land through which the Union Pacific and the Canadian Pacific ran, the difference between the two enterprises would be apparent. The country through which the Union Pacific ran contained between three and four millions of people, the State of California alone having a population of half a million, or fifty times the white population of British Columbia. The real and personal property represented by the States bordering the Union Pacific amounted to $2,000,000,000. California alone produced about 16,000,000 bushels of grain annually and there was, therefore, a large amount of trade which at once supplied freight to the Union Pacific Road, thus putting it at once on a paying basis. The earnings last year were $17,000,000, a large proportion of which was from local freight. Sixty-five per cent. of the earnings of the Union Pacific was from that source. Where was the local freight to come from on our railroad? What was there in British Columbia that they wished to send to the Eastern Provinces? What were the productions of that country? If the whole of their imports and exports amounting to an aggregate of $4,000,000 were to pass over the road, there would be no encouragement to hope that this road would for a long time pay running expenses. This was what he wished to urge on the Provinces lying to the west—that they should not ask this Dominion to assume unreasonable burdens for building this railroad. It was not just to the interests of this Dominion that we should so heavily tax ourselves for one enterprise, and leave all others undeveloped. When the Western Provinces considered this fact, they would forbear to urge with such persistency their claims to the construction at an early day of the Pacific Railroad. As a Canadian he was as anxious as any one to see the resources of the country developed, but he did not wish to see burdens assumed that might depress the trade of this Dominion for many years to come.

Mr. BORRON quite approved of the course pursued by the Government in relation to this great undertaking. In expressing such approval, he was aware that he placed himself in opposition to the hon. member for Cumberland, who disapproved of everything the Government had done or proposed to do. That hon. gentleman had stated as his policy, that strong parties should be placed at four points on the line between Nipissing and Red River, to construct a line between those points. The Intercolonial was 488 miles long, and divided into 25 sections, yet it was not completed in less time than seven years. From Nipissing to Nipegon was a distance of 557 miles, and two strong parties working on it would construct it in about one hundred years. The line recommended by the engineers, would pass 150 or 160 miles in the interior, and would be difficult of access. For 360 miles it would pass over the height of land where it would be exposed to the violent storms from Hudson's Bay. We had seen something of the effects of snow storms in obstructing, in well-settled parts of the Domi-

Mr. Ross.

nion, and the difficulty of keeping such a line as the one proposed, would render it useless during the winter season. Some of the engineers had stated that the snow on the height of land was not so deep as on the lower levels in the vicinity of the lake. He had lived in the country for twenty years, and had opportunities for going inland himself and meeting the Indians who were in the habit of going back for furs. Within one or two miles of the lake shore the snow was very deep. The winds on the lake deposited the snow on the shore, and the consequence was that in the immediate vicinity of the lake the snow was very deep for two or three miles inland. So far as his information went, the snow if not deeper was certainly as deep on the height of land as on the lower levels a short distance back from the lake. The route over the height of land passed through a country that certainly would not be settled while there was an acre of land to be obtained in parts of the country with less inclement climate and more fertile soil. If this line was intended for any purpose it was to give uninterrupted communication with the North-West at all seasons of the year, but if it was liable to be snowed up and traffic suspended during the winter months, it would be practically useless. Owing to the intense cold on the height of land, the snow was very dry and the violent storms from Hudson's Bay carried it in clouds across the country filling all hollows with a dead level of snow. It would be useless to try to keep it open with snow-ploughs, and there was no population along the line to aid in removing the obstructions to traffic. A line had been surveyed for one hundred miles and explored the remainder of the way, running some thirty miles north of Sault Ste. Marie, which he thought would be found practicable and capable of extension westward. It was in a direct line from the mouth of French River to Fort Garry. The former point was in latitude 46½; thirty miles north of that would be the 47th parallel. Continuing westward from Sault Ste. Marie, keeping about 25 miles from the shore of the lake, would give a route passing through a country abounding in minerals, two-thirds of which was fit for settlement and which was accessable from the lake. This route had been recommended by Sir HUGH ALLAN in one of his speeches as the best and most practicable for the railroad. He highly approved of the course taken by the Minister of Public Works. That hon. gentleman had expressed no opinion as to the propriety of taking the line by way of Nipissing; that matter would have to depend upon the surveys to be made. Referring to the policy enunciated by the member for Cumberland of putting on two strong parties one at Nipegon and one at Red River, and having them work towards each other, he pointed out that by such a plan, judging by the progress made with the Intercolonial railway, it would take 75 years to complete the road from Nipegon to Red River, a distance of 416 miles. Moreover, under such a plan the road could be of very little service until it was completed. The hon. member for Cumberland had stated that he was prepared to prove that Nipegon harbor as an outlet for the traffic of the North-West was at least equal if not superior to Thunder Bay. In contradiction of that statement he would read two or three affidavits he had received from reliable parties who were thoroughly familiar with what they testified to. MICHAEL COLAN, of Thunder Bay, testified that he had lived at Fort William for 75 years, and he had never known Nipegon Bay open sooner than fifteen days after Thunder Bay was open, and he had often found it closed on the first day of June. It also froze up about a month earlier than Thunder Bay. He had started repeatedly from Thunder Bay after it was open and proceeded to Nipegon Bay, found it still closed with ice, returned to Thunder Bay and then returned to Nipegon and found it still frozen up. He (Mr. BORRON) read several affidavits to the same effect, and said his own knowledge and observation bore out this testimony. The reason that Thunder Bay was open sooner in the spring was that the entrance was wide and the swell of the lake broke up the ice, while Nipegon Bay was land-locked, and the ice remained in it till it was rotten and honey-combed. He proceeded to say that the route from Red River to Thunder Bay was thirty miles shorter than to Nipegon, and he therefore held that Thunder Bay was the proper outlet to Lake Superior of the traffic of the North-West. Even if the Government elected to make a railroad

from Nipegon to Red River, it would be entirely inoperative. It would pass through a country that had no resources to develop either in minerals, in timber, or in soil fit for agricultural purposes; nothing in fact, so far as was known. The other route, although sterile in many parts, possesses greater advantages than that. The valley of the Koninistiguia was a good agricultural district, and the Saskatchewan gave promise of being very productive of minerals. Excellent specimens of gold, silver, lead and copper had been found in it, and the opening up of it by this railway would be advantageous to the development of these resources. It was contended that this line passed over the country at a lower elevation than any other possible road from Lake Superior to the Red River. It was also in a lower altitude; it would be less liable to be obstructed by snow, and the country through which it would pass would generally be better fitted for settlement. He had endeavored to show that the line running from Nipegon over the high lands would take an enormous time to construct; that it would pass through an exceedingly unhospitable country, and that it would be utterly useless and unproductive when it was built. If it passed through the district of Algoma, it passed through a country that had agricultural, mineral and lumber resources to develop—a district that would provide at no distant day happy homes for a population not less than that of Nova Scotia. The Minister of Public Works in his interesting speech hinted at the possibility of bringing forward a scheme of colonization in conjunction with that of building the road. He did not know of any district that afforded a finer chance of carrying out such an experiment than Algoma. It was even superior to Manitoba. They had no grasshoppers; they had abundance of fuel, and they were nearly a thousand miles nearer the market. They had also the finest fresh water navigation in the world to take their produce to the market. He concluded by thanking the House for the attention they had paid to his remarks.

Mr. ROSCOE said he rose for the purpose of correcting some statements made by the hon. member for Middlesex. The hon. gentleman had furnished the House with a grim picture of British Columbia cutting the flesh out of the Dominion, and he appealed to the people of that Province and their representatives not to go on making unreasonable demands of the Dominion. He (Mr. ROSCOE) denied that they made unreasonable demands: All that they demanded was that the Dominion should carry out the terms and build the railway in the best way they could. Indeed the hon. gentleman made use of such arguments as it was hardly necessary to condescend to answer. He talked about the present population and trade of the country as if they really would be any indication of the trade of the railway. The hon. gentleman appeared not to know that railways in this country were built not to accommodate trade but to make it. A gentleman writing to the papers of British Columbia had been endeavoring to prove that the Eastern trade over the Canada Pacific Railway would be sufficient to pay the cost of construction. Of course this estimate was exaggerated, just as exaggerated as the statement of the hon. member for Middlesex; and he presumed that, as was usual in such cases, the truth lay between the two statements. There was little doubt that the trade would not be sufficiently large at first to make the road pay, but that would soon be changed. The hon. gentleman spoke of the small revenue of British Columbia. There was some truth in his statement, for the reason that they had but a small population; but he (Mr. ROSCOE) thought it would be a wise course for the Dominion to increase the revenue by increasing the population. For himself he hoped and believed that there would soon be millions of people in that Province. He desired to make a few remarks on what had been said by the hon. member for South Bruce when the House was in Committee. He protested against the tone adopted by that hon. gentleman with regard to the Provine of British Columbia whenever he had occasion to speak of it either in the House, or outside. He did not know what the hon. gentleman's reason might be for so doing unless it were because the late Government had made terms of union with British Columbia which the hon. member considered extravagant. The hon. member depreciated the Province probably because he knew nothing about it. He (Mr. ROSCOE) submitted to him that British Columbia was a part of the Dominion, and that its

unbounded resources were the resources of Canada. The hon. gentleman was himself a Canadian, and he (Mr. ROSCOE) hoped that when next the hon. gentleman mentioned British Columbia, he would attempt to do it justice. The hon. gentleman ventured to reprove the Government because they did not take legislative action with regard to the arrangement arrived at for carrying out the compromise. He (Mr. ROSCOE) believed that the Government acted wisely in that respect. The hon. gentleman contended that the people of British Columbia, having demanded the right to say what they would expect, this House should also have had its right to a say on the subject. It so happened, however, that with the people of British Columbia it was a question of accepting less than it was agreed to give them, while on the other hand it was a question with the Dominion of giving less than they had agreed to give. Again, the hon. gentleman made some remarks about Lord CARNARVON, stating that he had the utmost respect for that nobleman personally, and that he had great respect for his opinion; but the hon. member hardly carried out his promise, for he stated in another portion of his speech that he did not place much weight upon Lord CARNARVON'S decision, because the Imperial Government had incurred no expense in the matter, and on matter how the decision was given it did not affect their pockets. He (Mr. ROSCOE) hoped that when a Judge decided against a client of the hon. gentleman, he did not refuse to place confidence in the decision because the Judge had no pecuniary interest in the matter. The hon. gentleman further said that the Government accepted this compromise with regard to the terms, not because Lord CARNARVON said so, but because it was the best course to take. He (Mr. ROSCOE) was aware that the arrangement was practically the same as that offered by the Government before. He was always opposed to the appeal to the QUEEN, because he believed the Province could get as much without it, and still preserve the good feeling with the Dominion. He ventured, however, to point out to the hon. gentleman that Lord CARNARVON had full power in the matter, and if the Dominion Government had insisted on what might be considered a repudiation of terms, or refused to accept what he (Lord CARNARVON) thought a fair compromise, he might have used his power as Colonial Secretary to pass an Imperial Act dissolving the connection between British Columbia and the Dominion. Perhaps the hon. gentleman might say that it did not matter much whether this was done or not. On that subject he would not at present enter into a discussion.

Mr. SMITH (Selkirk) said his hon. friend from Marquette had very properly pointed out that it had been matter of great disappointment to the people of Manitoba that the railway, instead of passing through the centre of the Province, was to go a considerable distance to the north, touching it only at one point. The Minister of Public Works gave as a reason for this that there would be a saving of thirty miles. That certainly was a very great consideration from a Dominion point of view. The principle was maintained throughout the whole line, and they could hardly look for an exception in favor of the Province of Manitoba, no matter how much they might regret the fact. Reference had been made to the interview which the deputation from Manitoba had had with the Minister of Public Works, and to the fact that but little hope was held out of a change of route. However, as they could not have this, he was glad to find an indication of willingness on the part of the Government to assist the people of Manitoba in building another line south of Lake Manitoba, running westward and southward—such assistance to be in the shape of grants of land. He earnestly trusted that this indication would be more than borne out by the facts, and that such assistance would be given as would give the people means of access to the best portions of the country, as well as of sending their produce out of it.

Hon. Mr. TUPPER desired to know the points between which it was likely that road would run.

Mr. SMITH said he had in view a road running from Fort Garry westward towards the south branch of the Saskatchewan for a distance of from 100 to 110 miles within the Province of Manitoba. It might extend, however, for six or seven hundred miles further to that portion of the country known as Bow River. That route would be south of the arid country stretching to a con-

siderable extent through the British possessions of the North-West. It had been said that the desire was to bring this road too far south to meet the requirements of the great body of the people of the Province, he believed, however, that this was not the fact, and that the requirements of the greatest number would be duly considered before the Government would be asked for any assistance.

Hon Mr. TUPPER—Did my hon. friend say that he had obtained a promise from the Government that they would aid the road.

Mr. SMITH explained that he did not say there had been a promise but an indication which he trusted would be put into practice. The hon. member for Hamilton spoke of that charming road known as the Dawson Route. His (Mr. SMITH'S) opinion of it differed very much from that of the hon. gentleman, and he could not speak of it in the same glowing terms. It was perhaps all very well so long as they had nothing better, and for the last year or two had served a very good purpose in causing a reduction of the charges made by American companies for the transport of passengers and freight. He certainly agreed with the hon. member, however, in believing that the people of Manitoba were most anxious to have at the earliest possible moment railway communication between Pembina and Fort Garry. They certainly desired, and hoped sometime to see an all-rail route constructed from one ocean to the other, but they were glad to have connection with Pembina in the meantime. Something had been said of the magnificent water courses of the North-West, and statements had been made that they were a myth not having yet been found out by those who had travelled over the country. His own impression was that there were some stretches of water there that might properly be called magnificent. Lake Winnipeg was certainly no inconsiderable stretch of itself, and from that, with a very little barrier, an entrance was made into the Saskacthewan. From that point there were three hundred miles of uninterrupted water communication. At the end of those three hundred miles it was necessary to transport freight for four miles by land, and having again reached the Saskacthewan you could go for nine hundred or one thousand miles into the interior within seventy or eighty miles of the Rocky Mountains.

Mr. DECOSMOS—For how long?

Hon. Mr. SMITH said last year a steamer built on the Saskatchewan proceeded up the river some six hundred miles to Carleton, and from that point would have had no difficulty whatever in going to Rocky Mountain House. This was something which should not be despised. At the same time he did not think because we had this water communication we should negect our railroads.

Mr. JONES (Leeds)—What is the draft of the steamer you speak of?

Hon. Mr. SMITH—Some two and a half or three feet. The steamer is about 150 feet in length with 30 feet of beam, and capable of carrying a very considerable cargo.

Mr. DECOSMOS—How long is it possible to navigate the Saskatchewan with such steamers?

Hon. Mr. SMITH said the navigation might safely be commenced in June and continued until some time in September. He had descended the river some 500 miles in July and August, and there was then plenty of water for a boat drawing four or five feet of water.

Mr. JONES (Leeds)—Was not that steamer wrecked?

Hon. Mr. SMITH said unfortunately a steamer had been wrecked, but not this one. Though he had great respect for scientific men, he was bound to say if the Hudson's Bay Company had been guided by the reports of engineers they never would have dared to launch a steamer on the Saskatchewan. Practical men reported that the river was navigable, and he took the responsibility of building a steamer at a cost of fifty or sixty thousand dollars. That steamer was wrecked, but it was not owing to the difficulties of navigation directly. The vessel, through some misunderstanding between the captain and the officers, fell on the rocks in the rapids, and the wood being soft and the cargo heavy, was lost. Undeterred by this, another vessel was built. With regard to the Pembina branch he regretted to say that the line in Minnesota, from Glyndon to Pembina was at a stand still. The Legislature of Minnesota had adjourned without doing anything. It would be a great mis-

fortune not only to Manitoba, but also to the whole Dominion of the North-West were it left for any length of time without railroad communication. With reference to the advantages of Thunder Bay and Nipegon Bay as harbors, the case was substantially this: While Nipegon Bay was a very good harbor, and might be approached and entered with safety throughout the season, the duration of open navigation was shorter to some extent than in Thunder Bay. The latter bay was not a good harbor and would require a great expenditure to improve it, but then the mouth of the Koninistiguia river formed an excellent harbor, where vessels were secure in every respect against storms. In respect to fogs, he had found them as bad in one place as in the other. The people of Manitoba hoped in the first place to have rail, and water communication, but hoped that in consequence of that not one day would be allowed to pass before complete rail communication was established between Lake Superior and Winnipeg.

Mr. BUNSTER said it was really astonishing to hear the remarks of the hon. gentlemen from Hamilton and Middlesex. If British Columbia had ever asked for better terms there might have been some justification for them, but she merely asked the Dominion Government to proceed with the construction of the railroad according to the agreement entered into between Canada and that Province. What he wanted in this House was men of ability like WM. B. OGDEN. When that gentleman projected a railroad across the continent he was regarded as a lunatic; but the road was built from Omaha to San Francisco in three years and sixteen days, at a time when a civil war was raging in the United States. He (Mr. BUNSTER) proposed to discuss a railroad project, not a steamboat road open only five months in the year. Such a road would pay. We should follow the example set us by our neighbors since we have advantages they did not possess. Our pass through the Rocky Mountains was 4,000 feet lower than theirs; we had less snow to contend with, and our road would pass through a fertile country and not a barren region such as theirs. The hon. member for Middlesex had asserted that there were three millions of people to give employment to the Union Pacific Railway. He (Mr. BUNSTER) contended that there were only 600,000, and an important part of the traffic which was building up that line came from British Columbia. When the people of Canada came to know more of the Province on the Pacific, they would learn to appreciate it better. No one Minister had gone to British Columbia, but agents had been sent there to report upon it just as they wanted to have it represented. Would-be statesmen of Canada had thrown cold water on the grand scheme of a trans-continental railway, which was originated in British Columbia by a gentleman who was now no more. In the United States it was different. Every one was favorable to such great enterprises, and there were now no less than three Pacific railroads projected besides the existing line. Yet there were gentlemen in this House who advocated a half railroad, half water and ice road, which just amounted to no road at all. He did not consider that was fulfilling the contract with British Columbia. The people of that Province were not exacting. If the Dominion would only go to work in good faith and earnest to build the road, they would be satisfied. What guarantee had they that the terms would not be broken again? When confidence was once lost it was hard to regain it. The people of British Columbia were laboring under a disadvantage. Numbers of farmers had gone there and purchased land on the understanding that the Canadian Government was going to build the railroad. There they were with plenty of stock and plenty of produce, but no purchasers for them and no means of getting them to a market. Taking into consideration all the advantages in favor of our road, he was satisfied that if it were constructed we would soon induce not only the 500,000 Canadians who were in the United States to return to their native land, but as many Americans to come with them and settle in the Dominion. He objected to the policy of the late Government in having sent Mr. EDGAR over to the Pacific coast to create ill feelings, and on his return prepared a report which was objectionable in the extreme. The expense incurred by Mr. EDGAR'S visit to British Columbia would have gone towards defraying the cost of building the road. The amount placed in the estimates

for expenditure on the road was absurdly small, instead of $6,000,000 there should have been $16,000,000. The First Minister stated that the Government would carry out the railway according to the Act; he (Mr. BUNSTER) would be glad if such proved to be the fact. But he did not consider one and a half million dollars annually was sufficient; the Province ought to have obtained $3,000,000 annually. The Government was very ready to declare that they would complete the road as speedily as possible; but there had not been a survey made of it yet, and there was no appearance of the terms of union being fulfilled. Besides the Government might have had a much larger staff of engineers at work than were employed at the present time. It would be a very easy matter for the Government, in future, to excuse their delay by stating that the surveys were not completed. The conduct of the people showed a marked contrast to that of the Dominion Government. The Province had always kept faith with the Dominion. If British Columbia desired to leave the Dominion it could have had a road built through and round the Province. If asked for proof of that, he would remind the House that the American people paid $7,000,000 for Alaska, and made a good bargain at that, for they leased the fisheries for $2,000,000 per annum. British Columbia was surely worth ten times as much as Alaska. The Americans would give fifty times as much in order to shut out the Dominion from the opportunity of becoming a nation on the Pacific Coast. Hence the Province had been shut out from obtaining a railroad owing to the allegiance of its people to the British flag.

Mr. OLIVER was surprised at the cool statement made by the junior member for Victoria that no unreasonable demand had ever been made by British Columbia upon the Dominion. It appeared to him that they had heard a sufficient number of demands made to-night, which were unreasonable. The Dominion Government sent their agent to British Columbia to obtain a relaxation of the terms, and the Government offered to expend one and a half millions annually in the Province in the construction of the Pacific Railway. Yet that offer was refused by the people, and the demand was made for two millions, which they had obtained under the present agreement. We knew the population of British Columbia was not more than 10,000 whites, and that under the present arrangement $200 per head of that population would be spent therefor the next 15 years on the construction of the railway. If Ontario made the same demand for expenditure on public works it would amount to over $320,000,000 annually. The House heard a few days ago another cool proposition from the hon. member from British Columbia, namely: that that Province was not expensive enough to the Dominion. A further proposition had been made, namely: that the Dominion Government did not own the Crown lands in the Province; only twenty miles along the proposed railway, for which it paid $100,000 annually; and the cool proposition was made that some other provisions should be made for the Indians of that country, at the expense of the Dominion, out of this land for which they paid this enormous rent. If any more unreasonable demand could be made on this Dominion than had been made by British Columbia he was at a loss to know what it could be. The hon. member for Selkirk had stated that he had reason to believe that another road would be introduced in Manitoba. It appeared that the people of British Columbia were not satisfied with the arrangements made with it, and now the House was informed that there was a semblance of dissatisfaction in Manitoba, notwithstanding the fact that the road passed through that Province, the dissatisfaction arising, owing to the fact that the Government would not diverge from the straight line and lengthen it about thirty miles in order to accommodate the residents of Winnipeg. There was something more wanted by the hon. member. Although the branch from Pembina to Winnipeg and the Pacific Railway proper were to be built for the accommodation of that town, the hon. member appeared to suppose that there were indications that the Province would be assisted to build another railway south of Lake Manitoba, for a distance of six or seven hundred miles, 120 of which would be within the Province. He was free to admit that if there was any Province in the Dominion that ought to be assisted in building local railways it certainly was Manitoba for this reason, that the Dominion owned the lands in the Province, and the

Local Government had not any resources from which to assist local roads. However, he thought that the members representing Manitoba and British Columbia ought to be well satisfied with the policy of the Government as enunciated by the Premier. Great stress had been laid on the fact that the Pacific Railway was not a railway from the Atlantic to the Pacific coast. He had always understood the policy of the Government to be this at the present time—the water stretches that lay between Georgian Bay and the foot of the Rocky Mountains were to be utilized until the country could build the whole road. He believed there was no part of the present scheme which could not be utilized in subsequent years as part of the general scheme. A statement had been made by the member for Victoria, (B. C.) that $6,000,000 was not a sufficient vote to be taken for one year ; and the hon. gentleman complained that ten times that sum had not been placed in the estimates, showing that in this respect the demands of the British Columbians were unreasonable and extravagant. Not only were Manitoba and British Columbia dissatisfied, but a portion of the Province of Quebec was also dissatisfied. The dissatisfaction arose out of the fact of the subsidy having been granted to one road instead of another. If there was one portion of the Dominion more than another going to be benefitted commercially by this railway, it was the Province of Quebec. Another party was opposed to the building of the Georgian bay branch altogether, and the hon member for Cumberland in his speech the other night attempted to prove that there was an unnecessary expenditure upon this work between the Ottawa Valley and the Georgian Bay of between four and five millions of dollars. The same hon. member, however, had no hesitation in asking the House to vote seven or eight million dollars for the construction of another, believed by residents in the same section of the country to be quite unnecessary. The representatives of the Ottawa Valley in past years had endeavored to have a back-bone driven through the back portion of the Province of Ontario. This railway would be the back-bone so much desired, and would materially assist in developing the country, which he was informed was well fitted for settlement, and comprised valuable timber lands. This was the only expenditure connected with the Pacific Railway that would at all benefit Ontario, or in any way open up its unpeopled territory for settlement, and surely, hon. members who had the Intercolonial Railway built at an expenditure of twenty millions, and hon. members who were now asking for the expenditure of millions on the Pacific Railway, ought not to grudge Ontario the Georgian Bay Branch, which would pass through the rear of the Province. One word with respect to the allusion made to the dissatisfaction in his own Province. He might say that the dissatisfaction extended from British Columbia to Quebec, and this fact indicated that the Government policy would in the end be acceptable to the whole people, because it was evident that the Government had not desired to favor specially any particular section of the country. At the present time there were deputations in the city from various parts of Ontario. He had read with much interest the discussions that had taken place when those delegates were appointed, and he noticed that the chief objection was that an Ontario connecting link had not been subsidized the same as the Canada Central. Supposing the Government agreed to do that, could it be supposed for a moment that these delegates could agree as to what road should receive the subsidy. He regretted that it was not within the power of the Government to subsidize an Ontario line, but after all in the long run it would be found it would be cheaper for Ontario to build the connecting link itself, because the subsidizing of various lines would only cause more expenditure, five-ninths of which was paid by the people of Ontario. He denied that the question of the Pacific Railway policy had not been before the constituents of Ontario at the last election, but held that their policy was discussed at all election meetings, and the elections resulted in returning to this House a large majority of members favorable to the Government railway policy.

Mr. MONTEITH said the terms of union with British Columbia he understood to be that the Pacific Railway should be commenced at a certain time and completed within ten years, and such agreement having been made, Canada was bound to keep faith with the British Columbia people. He had watched closely the acts of the late and present Govern-

ments. The policy of the late Government was to construct a line by which direct communication would be obtained with the Pacific, and they proposed to subsidize a company with $30,000,000 and 50,000,000 acres. A company was formed to undertake that work, and attempted to float its bonds in the English market, which it would have succeeded in doing but for the denunciations of the Opposition Press. The present Government proposed a different scheme, which included the Georgian Bay Branch, which would be closed during 5½ months in the year. They proposed to build a short link of the railway from Thunder Bay to Lake Shebandowan, a distance of 45 miles. Then there was to be another stretch of water, and other railway and water stretches were to be utilized. The proper principle he held upon which the railway should be constructed was that communication should be had with the Pacific by means of a through line. On looking at the history of the Pacific Railway, he held that the late Government had done more than the present Government was going to attempt to do in the direction of constructing the Pacific Railway.

Mr, SCHULTZ desired to make some observations in regard to that portion of the national work between Fort Garry and Thunder Bay. The announcement made by the Premier in respect to the policy of the Government on the whole line, and particularly on that branch, pointed to the necessity of its early construction, as one of the most important points to be secured was to obtain a speedy means of ingress from Lake Superior. It was felt exceedingly difficult to obtain a large share of immigration when immigrants had to pass round by the United States. If it could be shown to him that the policy of the Government, enunciated by the Premier in respect to the Fort Garry and Thunder Bay Branch would fulfil the requirements of the Province of Manitoba and the country, then he would be one of the most hearty supporters of the Government, but it seemed to him that so far from meeting the requirements, it no more fulfilled them than did the Dawson Route fulfil the objects sought to be obtained. What did the Government propose to do? They proposed simply to construct a railway parallel with the portion of the route where there was now a good waggon road. No doubt the announcement of this policy would be sent forth through the country in the belief that in carrying it out, the Government were accomplishing a great work towards opening up the North-West, and it would be carefully kept out of view the number of portages that intervened. He believed that the building of these portions of the road between the water stretches would answer no good purpose towards opening up the North-West, as the American route would be preferred. Moreover, the country between Shebandowan and Rat Portage was not sufficiently well known to enable us to decide whether the connecting link could be built or not. It would have been more honest if the Premier had frankly confessed at once the difficulties in the way. In the matter of the Pembina Branch he must entirely disagree with the policy of the Premier. It was a fallacy to suppose that because the American road was extended only to within 65 miles of Pembina that therefore rails and rolling stock could not be sent in for the Pembina branch. The Red River was navigable from the junction with the railway, and such goods could be brought in more cheaply by the river than by rail. Moreover, the American line was being extended, and if the Premier had promised to go on with the Pembina branch as soon as the American line reached Pembina he (Mr. SCHULTZ) would have more confidence in the whole railway scheme of the Government. He entirely dissented from the view that the stretches of water between Lake Superior and Red River could be utilized to any extent. The only stretches of water that could be used were Lakes Winnipeg and Manitoba, and these unfortunately ran north and south. With regard to the Saskatchewan, it was fitly described by the member for Marquette as one of shifting sand bars and low water. It was said that a Hudson Bay Co's boat had navigated that river, but it only went up on a trial trip after the fall rains in September, and drawing perhaps only about eighteen or twenty inches of water. That proved nothing as to the river being navigable. He believed that river except for flat boats was practically useless for commercial purposes. He would repeat that the failure to go on at once with the

Pembina branch would be a serious injury to Manitoba, and there was no just cause for the delay. He could say nothing more except to correct a false impression some members had taken from the remarks of the hon. member for Marquette. That hon. gentleman stated he believed that the people of Manitoba would rather have a through rail line through our own territory than a mixed water and rail communication to Lake Superior as well as the Pembina branch. He entirely agreed with that statement. They had patriotism enough to desire a through line of railway over our own territory so that immigrants on their way to Manitoba would not be enticed to stay in the United States as many of them were.

Mr. D. A. SMITH stated that for many years it had been the custom of the Hudson Bay Company to navigate the Saskatchewan River with boats carrying from ten to twelve tons, coming down from Edmonton one thousand miles and returning with the same freightage. He had already mentioned that he came down that river in a boat last summer, and though it was in July the water was at least four feet higher than it was in September on the occasion referred to by the hon. member for Lisgar. So that he was mistaken when he said that trip took place when the river was high, for it was when the river was comparatively low. In the remarks he had made he did not wish it to be understood that he was wedded to the scheme of a mixed land and water system of communication. He was glad to have that system in the meantime, but he did not wish it to hinder the progress of a through rail line.

Mr. SCHULTZ asked whether the hon. gentleman considered that his having gone down the Saskatchewan in July last a proof that the river was navigable.

Mr. D. A SMITH said he came down all the way on the river, there being no portages.

Hon. Mr. TUPPER asked that the debate be adjourned, as it was evident a number of members still wished to speak on this very important question, which might be made the first order for to-morrow, and with the understanding that it would be disposed of before six o'clock.

Hon. Mr. MACKENZIE said he desired to close the debate to-night, but he was willing to leave the question of adjournment in the hands of the House.

After a brief discussion on that point the debate was adjourned, on the understanding that the subject would be taken up as the first order to-morrow, and disposed of before six o'clock.

THE PETERSON DIVORCE BILL.

Mr. MACLENNAN moved the first reading of a Bill, from the Senate, for the relief of HENRY WILLIAM PETERSON.

Mr. STIRTON said it would be taking an unfair advantage of this measure to deal with it in such a summary manner. The proper course would be not to oppose it on the first reading, and to take the vote on the second reading. At this hour in the morning (2 o'clock) it would be most unfair to take a vote.

Mr. SPEAKER said the rule of the House was that there must be no debate on the first reading of a Bill.

A division was then taken, and the motion for a first reading was carried on the following vote:—

YEAS:

Messieurs

Appleby,	Kirkpatrick,
Archibald,	Laird,
Aylmer,	Landerkin,
Bain,	Macdougall (*Elgin*),
Bertram,	McDougall (*Renfrew*),
Biggar,	MacKay, (*Cape Breton*),
Blackburn,	McKay (*Colchester*),
Borden,	Mackenzie, (*Lambton*),
Borron,	Mackenzie, (*Montreal*),
Bowell,	Maclennan,
Bowman,	McCallum,
Brouse,	McCraney,
Buell,	McGregor,
Burk,	Metcalfe,
Burpee (*St. John*),	Mills,
Carmichael,	Mitchell,
Casey,	Moffat,
Charlton,	Monteith,
Church,	Norris,
Cockburn,	Oliver,
Coffin,	Palmer,
DeCosmos,	Paterson,
Dymond,	Ray,
Farrow,	Ross (*Durham*),
Ferguson,	Ross (*Middlesex*),
Ferris,	Rymal,
Fleming,	Smith (*Peel*),
Flesher,	Smith (*Selkirk*),
Forbes,	Snider,
Gillies,	Stirton,
Gillmor,	Thompson (*Cariboo*),
Gordon,	Thompson (*Haldimand*),
Goudge,	Trow,
Greenway,	Wallace (*Albert*),

Hagar,	White,
Haggart,	Wilkes,
Kerr,	Wood,
Killam,	Wright (*Pontiac*),
Kirk,	Young—78.

NAYS:

Messieurs

Baby,	Irving,
Béchard,	Jones (*Halifax*),
Bernier,	Jones (*Leeds*),
Bunster,	Lajoie,
Caron,	Langlois,
Casgrain,	Lanthier,
Cauchon,	Laurier,
Cheval,	McDonald(*Cape Breton*)
Cimon,	Macmillan,
Coupal,	Masson,
Cuthbert,	Montplaisir,
Delorme,	Ouimet,
Desjardins,	Pelletier,
De St. Georges.	Pinsonneault,
Dugas,	Pouliot,
Fiset,	Richard,
Flynn,	Robillard,
Fournier,	Robitaille,
Fraser,	St. Jean,
Fréchette,	Taschereau,
Gaudet,	Tremblay,
Harwood,	Wallace (*Norfolk*),
Hurteau,	Wright (*Ottawa*)—46.

Mr. MACLENNAN moved that the Bill be referred to a Special Committee—Carried on a division.

The House adjourned at 2:20 A. M.

HOUSE OF COMMONS,

Saturday, 13th March, 1875.

The SPEAKER took the chair at three o'clock.

BILL INTRODUCED.

Hon. Mr. MACKENZIE introduced a Bill respecting the lien of the Government on the Northern Railway of Canada.

The Bill was read a first time.

THE PACIFIC RAILROAD.

Mr. WHITE (Hastings) resumed the adjourned debate on the motion to concur in the report of the Committee of Supply. He said he regarded the Pacific Railway as the most important project ever brought before the people of Canada since Confederation. Certainly this Dominion could only expect to be great by carrying out, in good faith, the obligations entered into with the different Provinces in the Union. It was necessary that we should use all our exertions to bring the Pacific Province into commercial as well as political union with the rest of the Dominion. This would not be accomplished by the policy of the Government. A half-rail and half-water route would not satisfy the people of this country. The other day Mr. WOOD, the member for South Victoria, in the Ontario Legislature, remarked that the people only desired the Government to commence the railroad at Lake Nipissing; the people of Ontario had the wealth and energy to reach that point and Quebec could do likewise. He (Mr. WHITE) was glad to have this opinion from a Reformer and he believed it was the opinion of a great majority of the people of Ontario. They would prefer to see this contract with Mr. FOSTER cancelled and the money appropriated for it expended in constructing a line to connect the great lakes with Manitoba. The House had heard the remark of the hon. member for Marquette that the people of Manitoba were unanimously in favor of an all-rail route between Thunder Bay and Winnipeg in preference to the Pembina Branch and the two sections of railroad along the Dawson Route. There could be no doubt that the money expended on the construction of a railroad across the continent would be well invested, and he hoped the Premier would cancel the contract with Mr. FOSTER and apply the sum to the construction of a road from Georgian Bay to Winnipeg.

Mr. McCALLUM said that it had been argued during the debate that the House should pass the Pacific Railway item because the Government policy had been ratified by the people at the last election. The fallacy of this argument was proved by the fact that the policy of the Government was not known at that time beyond what was indicated in the speech of the hon. the First Minister at Sarnia. It was held that for the prosperity of Canada we must have a railway through our own territory from the Pacific which should be the back-bone of the Dominion. It would be a singular back-bone, however, when it diverged from a straight course in order to reach Georgian Bay, and when the route was alternately rail and water. If the railway could not be constructed in a more satisfactory manner, it would be well for the Dominion to at once tell the people of British Columbia and Manitoba that the Dominion could not afford to build it. Before the Government expended so large

an amount of money in constructing a useless railway to Georgian Bay, it would be better to cut the painter and let those Provinces drift away from the Dominion. Not many years ago we had trouble in the North-West, and Canada became alarmed because a few half-breeds had risen in arms. On that occasion they were able to defy the Canadian Government for six months, and supposing a similar outbreak again took place how could we send troops into the country in winter, over a water and rail route which would be useless during five or six months of the year. In regard to the Georgian Bay branch, he desired to ask the Government what traffic they could bring over the road. He contended that when grain was placed on board of a vessel at Fort William it should be brought right down to Montreal, for grain would scarcely be remunerative if transported by rail. While this was the case it was necessary to have the Pacific Railway through our own territory to meet emergencies should they arise in the West. A railway should be built from Nipegon or Fort William right on to Fort Garry, and so soon as practicable a line should be commenced at Nipegon carrying it eastward. Several hon. members had complained of what they termed the unreasonable demands made by British Columbia, but the House should remember that we had not looked at the exports and imports collected in that Province, but to the fact that the Dominion had entered into a solemn compact with the people of the Pacific Province, to build a railway so soon as praticable and that promise ought to be fulfilled. As regarded the cry raised that the country would be impoverished if we constructed the road, the House would remember that the Minister of Finance collected last year three millions of additional taxation, which it was contended by the hon. member for Cumberland was unnecessary, and the people did not feel that additional taxation. With the wealthy and fertile lands of the North-West at our disposal, we ought to proceed at once with the construction of the direct all rail line. The question of the Georgian Bay branch was never before the people at the last election for the question, then was, "Pure party and Pacific Scandal," and upon that only was a verdict of the people obtained.

Mr. BORDEN said the question had been discussed from a British Columbia point of view, from an Ontario and Quebec point of view, and from a Manitoba point of view, and it seemed to him that the Provinces which were getting all the concessions, all the expenditure and all the advantages, if there were any, had the most complaints to make. He refered to British Columbia and Manitoba. Ontario and Quebec were largely interested in this road, from the fact that the line which is to connect the eastern end of the Canada Pacific Railway with the Atlantic, is to traverse and open up many miles of the interior of the former Province, and from the fact that the Atlantic terminus of the road is to be at the great commercial centre of Quebec—the City of Montreal. It was true that these two Provinces had another consideration in the matter, and that was the paying by far the largest part of the cost. Still, as he had already said, they have a direct interest in the construction of the road, from the fact that a large subsidy will be spent by the Dominion Government in the territory of the one, and from the fact that the other will possess the great eastern terminus of the road. There was one other point of view from which this undertaking had not been viewed, and that was the Maritime—the point of view of the Provinces of New Brunswick, Prince Edward Island and Nova Scotia. These Provinces composed a very considerable portion of the population of the Dominion, a very considerable portion of the trade of the Dominion, they paid a very considerable portion of the taxes of the Dominion, and they would be called upon to pay a very considerable portion of the cost of this railway. On the other hand he maintained that they did not in the slightest degree participate in the direct advantages of the proposed expenditure, and the indirect advantages were so very remote and imaginary that he did not think they could be fairly considered. Hence, he contended that no portion of the Dominion would contribute so far beyond and out of proportion to the benefits to themselves, which could be fairly claimed to result from this expenditure, as the Maritime Provinces. The hon. member for Marquette found fault with the Government because they would not deviate from a straight line in the construction of this road to accommodate a few hundred families in his Province, and argued

that those people would be disappointed. But where he had a few hundreds of disappointed people because this road did not take a deviating course, he could tell him of thousands who were bitterly disappointed that it should ever be built at all. That hon. gentleman thought it an outrageous thing that the shortening of the road thirty miles should be used as an argument. He had come to the conclusion that the smaller the Province the larger were the ideas of its representatives. It was easy, however, to be lavish with what does not belong to ourselves. If there was any one thing commendable more than another in the scheme of the Government, it was this thirty-mile abbreviation, and if this country were not pledged to this insane project he should like to advocate, not the reduction of its length by thirty miles, but by its whole distance, and he was quite ready to plead guilty to the charge of holding contracted views, if it was contracted not to desire to expend millions for an imaginary population—if it was contracted not to wish to construct a road down the inhospitable slopes of the Rocky Mountains, which involved the building of five hundred miles in order to gain a distance of two hundred and fifty, every mile of it at a frightful expenditure in overcoming engineering difficulties. This country has had some sad experiences already in railway construction—in its Grand Trunk and Intercolonial; and he appealed to hon. members, and to the country to say whether those experiences seemed to justify any such undertaking. The United States was often quoted on account of its Pacific Railway; but what had been their course? They first opened up their Western country, established great cities, and then with a population of forty millions accomplished with the greatest difficulty what we were attempting to do with a population of less than four. But he (Mr. BORDEN) would be told that this work was a foregone conclusion—that the country was pledged to it. Well, he supposed this was the fact, and it was a most melancholy one. But the present Government were in no way responsible for this insane project—it was one of the unenviable legacies of the late Government. The present Government had succeeded in getting somewhat better terms. He could only regret that they were not in honor, able to repudiate the whole bargain. He could but regret, too, that the Colonial Secretary of the British Government should be so ready to hold this country to a bad bargain, which meant almost certain financial ruin to us, and which to Great Britain was only the realization of a pet fancy to connect the British Provinces of the Atlantic with the Pacific at their expense. As regards the scheme proposed by the hon. Premier, he was bound to say, in view of the fact already stated that we were pledged as a nation to the work, and in view of the fact that the gentleman leading the Opposition in this particular was largely instrumental in entangling this country in their difficulty, and in view of the fact that he believed the hon. Minister of Works is competent and conscientious in the discharge of his duties, and in view of the fact that he believed the Government of this country was in safer hands then it ever was before,—in view of these facts he (Mr. BORDEN) should support the scheme proposed by the Government, believing as he did that, coming from such a source, the opposition of the hon. member for Cumberland was prompted by the desired to offer obstruction for party purposes.

Mr. PATTERSON said he had noticed the Government had been very strongly attacked, and perhaps there was an impression in the minds of some that the opinion of the House was adverse to the vote of concurrence in this item of six and a quarter millions asked by the Premier. Very few of the supporters of the Government had taken part in this discussion, as they had with their usual generosity given most of the time belonging to them to the Opposition; recognizing the talent they brought to bear on the discussion. In this question of the expenditure of six and a quarter millions for the construction of a part of this great national undertaking was involved the whole scheme of the Government in reference to the construction of this railway. Their whole policy had been attacked. The points made against them were rather difficult to be seen, as there was a conflict of testimony by those opposing it; and there did not seem to be concert of action on the part of those opposing the Government. Opposition was taken from a Manitoba point of view, from a British Columbia point of view, from a Maritime

Province point of view, and strangest of all he found some gentlemen opposing it from an Ontario point of view. Professing to speak for Ontario they had said Ontario's interests had been ignored; and that the Minister of Public Works, a distinguished representative of one of the most important Ontario constituencies, had been recreant to the trust imposed in him so far as his own Province was concerned. He (Mr. PATTERSON) failed to see where Ontario interests had been sacrificed. Were they to be told that a subsidy for the construction of 180 miles of road through Ontario was opposed to Ontario's interests? The construction of that road would develop a country not now settled, but which would be settled, and the scheme could not be adverse to the interests of Ontario. Another hon. gentleman asked where was the traffic for the road? "Some ice from Georgian Bay to the ice houses in Quebec," was his answer. In the same breath he told us that the railroad must precede settlement, and thus develop and stimulate trade and commerce for itself. He held that these arguments were altogether conflicting; and that the Opposition must either abandon one or the other. The first item in this vote of six and a quarter millions was a million for the construction of a telegraph line and roadway. There was no objection to that item—the opponents of the Government and its supporters united in supporting it, and some said we should have even more roadway than was proposed. The next item was two millions for steel rails, and there was no member, except the hon. member for Cumberland, who held that the Minister of Public Works had not done a good work when he secured that bargain for the country. Had not the Premier conclusively shown that it was one of the best bargains ever made. The item of two and a quarter millions was on account of construction of the road on Vancouver's Island; and this was necessary in order to carry out the arrangements made by the Minister of Public Works, by which he had, while keeping faith with British Columbia, as he was bound to do, saved the country from the bankruptcy that would have followed the rash construction of this road. The House must not forget that we were not at perfect liberty to determine whether we would make that expenditure or not. They had to keep faith with British Columbia; and he believed the Premier would keep faith with that Province, as he would keep faith in all the agreements he might enter into. At the same time it must not be forgotten that while we were a growing and prosperous people, with strong nerves and undaunted hearts, nothing would do more to cripple us than to undertake an outlay the resources of the country would not warrant. He supposed that this grant of $2,250,000 towards the construction of that road would not be taken exception to. The appropriation of $500,000 for the Georgian Bay Branch had been attacked. He would not disguise the fact that when he first looked at the Government scheme he was not as favorably impressed with it as he was at present. He thought that an undue advantage was being given to the sister Province of Quebec, and that the proposed road would tend to divert the traffic of the North-West from the western cities of Ontario to the great commercial metropolis of Quebec. He ventured to say that after the explanations of the Premier a different view of the question would be taken in the Province of Ontario, and the fact would be recognized that the rights of no province had been sacrificed, and the interests of no province in particular had been taken into account. Looking at it from an Ontario point of view, he saw a railroad was to be constructed for two hundred miles through a portion of his Province which had never been opened up before, and which was fit for settlement. Viewing it in that light, he heartily approved of this portion of the Government policy. Then the appropriation of $500,000 for works of navigation had been strongly attacked. It was contended that a half rail and half water route would never succeed, and that we must have an all-rail route at once. The hon. member for Monk, who had settled in this country many years ago and accumulated wealth there, proclaimed that there was no use in utilizing our magnificent stretches of water communication. How did the hon. gentleman reach the place he now represented? Was it not by the magnificent stretches of water communication? The North West could be settled as Ontario was before railroads were built, by utilizing the magnificent stretches of water communication as proposed in the Government scheme. The

water was there and cost us nothing, and we should use it for the present. When the necessities of trade demand it, we could do as Ontario had done, supplement the water communication with railroads. To the Government policy he accorded his hearty approval. He rejoiced that we had an administration that did not ask Parliament to give them powers to do this work, but in all they undertook recognized the rights of the people's representatives, and had given such evidence of their honesty and sincerity. He regretted that the Minister of Public Works, in his remarks concerning the Boards of Trade, had not been more explicit. The hon. gentleman had said nothing disrespectful of them, but he was misunderstood by some members. The Premier recognized the talent and commercial ability of Boards of Trade, but denied that they were in a position to arrive at as correct conclusions with regard to the construction of public works, as the Government, who possessed the accurate information supplied by engineers.

Hon. Mr. TUPPER said if any evidence were required that his position was sustained by arguments which were unanswerable, he had only to turn to the speeches of the hon. member for South Bruce and the hon. Premier to find it. These hon. gentlemen in discussing a question of the greatest gravity and importance had adopted the tone of special pleaders, instead of meeting the arguments he had presented. The hon. member for South Bruce had dwelt at great length upon the point that his (Mr. TUPPER's) position with regard to the Pembina Branch was inconsistent, and defended the policy of the Government on that ground. So far from opposing the policy of the Government with regard to the Pembina Branch, he (Mr. TUPPER) had distinctly stated that he would offer no opposition to it, since a portion of the road was graded, and it was no longer a subject for discussion in this House. But supposing he had opposed the Pembina Branch, would the arguments and statements of the hon. member for South Bruce have been in point? The policy of the late Government was to construct a railroad from Lake Nipissing to the Pacific, and it would have been unfair to the company that was bringing a large amount of capital into this country to prevent them from connecting with the American lines. But that policy was widely different from that of the present administration, which was to construct the Pembina Branch as a Government work. The policy of the present Government was to utilize the water stretches of this country, and did not involve the construction by Government money, and the ownership and operation by the Government of seventy miles of railway alongside of seventy miles of the most magnificent water communication in the country. He did not assail the Government for this, and he merely drew attention to the fact to show how the hon. member for South Bruce instead of grappling with his arguments had set up men of straw to knock them down. His (Mr. TUPPER'S) position was this, that the Government instead of carrying out the policy of their predecessors and grappling with this great work with all possible energy, proposed to expend $10,500,000 of the public money outside, above and beyond anything that was required for the construction of that great work. That was the question he addressed to the House and the position he occupied. The arguments he had adduced to the House were unanswered, not because there were not hon. members of ability on the Ministerial side of the House, but because the arguments themselves were unanswerable. The hon. First Minister adopted the course of avoiding the main issue and taking up the question of rails. He had not opposed the First Minister's policy in regard to the purchase of rails. He declared that he was prepared to give the most generous construction to any act of the Government in dealing with a question of such magnitude, and asserted that they had doubtless acted as they supposed in the public interest. But it was a grave act for the Government to incur a debt of two millions and a-half for any purpose and come to Parliament six months afterwards and ask it to meet the bill. That was undoubtedly a great power to assume; he did not say there were not occasions when such power ought to be exercised, and he did not say that this was not one of those occasions. But the hon. First Minister had brought forward the question of rail purchase as one upon which he (Mr. TUPPER) had attacked the Government. What he did state was that although rails had been purchased at an exceedingly low price there was no reason why they might not be still lower. The

fact was that iron is now at a much higher price than a few years ago; that it had been falling in price was abundantly evident; that the competition had become so keen in the manufacture of Bessemer steel rails between England, Belgium, and the continent that there was nothing to indicate that the price would not still further decline. But the interest of the money was alone a serious item. Computing interest at 5 per cent. on $2,500,000 for two years, the result was a sum of $250,000 which must be added to the cost of rails, and then it appeared to be very doubtful whether the Government had saved any money to the country. Two years would elapse before a rail would be required except for the purpose mentioned by the First Minister, that of construction, which would be a very improper purpose for which to put the rails, because when rails had been used for such a purpose they would be found very unsuitable and unfit for the operations of the road when constructed. The hon First Minister and the hon. member for South Bruce also took the ground that this question was not legitimately before the House, because the member for South Bruce stated that it had been provided for and settled at the last session of Parliament, and the Premier stated that this expenditure had been provided for by law. Suppose that the law passed last year provided for making that contract and giving subsidies for the line, was Parliament not in a different position to-day? If there was anything in the arguments of the hon. gentleman they proved too much, because if they proved that hon. members might not discuss and examine the policy and contract agreed to, that proved that the Premier was using a mere senseless form in placing the contract on the table, and inviting deliberation on it by Parliament. He would put it to the hon. member for South Bruce and the Premier whether this Parliament stood to-day in the position in which it stood when the legislation was put on the statute book last session. The House had heard that the Government during recess had bound the country to a time bargain to the construction of the Canadian Pacific Railway from the Pacific coast to the shores of Lake Superior. The late Government were charged with having committed a monstrous folly in making a bargain with British Columbia for the construction of the Pacific Railway within ten years. The bargain was made between our own people and the people of a Province who by their loyal and patriotic course had given the best evidence that they would not complain if they saw that the Dominion Government in good faith was making all exertions possible to carry out the bargain. Suppose the work had occupied fifteen years instead of ten, there would not have been a dissentient voice raised provided the Government proceeded as rapidly as possible with the work. But the present Government had made an additional compact with the Crown and Parliament of Great Britain, providing that within fifteen years the railway would be built from the Pacific to Lake Superior. And for this, if for no other reason, the question occupied a different stand point. He denied that the late Government had ever agreed to put their hands in the public treasury and build a road from Esquimault to Nanaimo, but they required the company to secure the contract for the construction of the Pacific road proper to carry out that line at their own cost. The leader of the present Government had stated in his letter of instructions to Mr. EDGAR, the agent sent to British Columbia, and reiterated the statement in a Minute of Council to Lord CARNARVON, that the Government of Canada were under no obligation to build a mile of railway on Vancouver Island. And yet the Government had pledged the country to the construction of a road from Esquimault to Nanaimo at a cost of three and a half millions. Supposing the First Minister carried out the policy already submitted to the House, the terminus of the road might be fixed at Bute Inlet, at all events the location of the terminus could only be decided after survey. If that should prove to be the case, it would involve the construction of 150 miles of railway at a cost of $8,000,000.

Hon. Mr. MACKENZIE said he never recognized any obligation to carry the line beyond the head of Bute Inlet. Even if they adopted that route the Government were not bound to do more than reach salt water. No doubt the grades in the valley of the Frazer were the best, and the route was the shortest, and if the works of construction were not too serious, that

would be the best route to take; but he apprehended that the works of construction would be exceedingly difficult.

Hon. Mr. TUPPER said that if the Government only carried the line to Bute Inlet they would leave a gap of 160 miles between that point and Bute Inlet. He was surprised at the Government bemoaning the inheritance left them by the late administration, which included the Pacific Railway scheme, because the members of the party worked night and day to obtain power.

Hon. Mr. BLAKE—The hon. gentleman resigned, left his place vacant, and it had to be filled.

Hon. Mr. TUPPER said the late Government did not resign until they found that they could not longer conduct public affairs with advantage. He expressed his confidence that the Opposition would aid the Government to accomplish the great national work undertaken by their predecessors; and deprecated any factious criticism regarding the position of British Columbia, which was now an integral part of the Dominion. There was not a word in the law that justified the contract or the subsidy, and he quoted from the Pacific Railway Act of 1874 to show that the authorized terminus was fixed at a point near Lake Nipissing, contending that to subsidize any other route than that indicated in the act was defying the law and the expressed intention of Parliament. The Minute of Council showed that the Government had entered into a contract with Mr. FOSTER to build a subsidized line from Burnt Lake to Douglas, and it so happens that Burnt Lake is 35 miles from the point authorized by Parliament as the eastern terminus. Not only, therefore, had the Government acted without the authority of the law, but they had acted in the teeth of the statute passed last session. This was no mere legal quibble —no irrelevant controversy, for it involved a waste of $1,400,000. The hon. member for South Bruce had charged him with exaggerating figures; but he called the attention of that hon. gentleman to the fact that there was no exaggeration in the statement that Burnt River was 35 miles from the terminus authorized by Parliament. With regard to his other figures he had the authority of the best information open to any member of this House—the contracts themselves. He made his calculation on 122 miles. His hon. friend from South Bruce made his calculation on 115 miles. The contract stated the distance to be about 120 miles, and it was surely less of an exaggeration to deviate from the statement of the contract two miles than seven. He valued the land at $2 an acre, but the First Minister said they were giving it away. If the land was as valuable for agricultural purposes as the Premier represented it—and he believed that it was, and that there was no finer country on the face of the earth—why should it be given away? The simple reason was that the Government did not provide a direct and easy means of communication with the North-West. Nothing would justify the Government in incurring the expense they had incurred unless those lands were worth $2 an acre. On twenty-six lines of railway stretching across the Western prairies the land grants sold at from $13.25 to $3.17 per acre. The Northern Pacific sold their lands at a minimum price of $4 and a maximum price of $10 per acre. So that it was evident that his figures were rather under than over what he was justified in stating. This contract bound Canada to pay for twenty-five years $300 per mile per annum amounting to $637,500 and making the large sum of $6,327,500 that is to be paid under this contract. The hon. member for South Bruce had calculated the amount at $4,270,000, and giving him the benefit of the reduction, and assuming that he was right, he would ask him if he was prepared to throw away from four to five millions without accomplishing any object. His (Hon. Mr. TUPPER's) argument was relatively just as strong in relation to the amount of expenditure involved according to the hon. member for South Bruce's own calculations as according to his (Mr. TUPPER's) own. Why was there not greater utilization of the water stretches to get to Lake Superior? No hon. gentleman opposite had dared to grapple with this phase of the question. They might secure this communication without an expenditure of one dollar of public money, for private capital and private enterprise had tapped all these waters and furnished all the facilities required for getting east. According to the hon. member for North Oxford the First Minister had been besieged by

delegations from Ontario against this scheme. They said if you are going to spend the public money of Canada in this way you should divide it up among the railway companies, for we want some of it. From their standpoint their opposition was a very strong one. They have expended private capital to accomplish what this expenditure of ten and a half millions was designed to accomplish, and they had a right to say not that this deep wrong should be increased and made greater, but that the public money should be expended in carrying out this great undertaking to some neutral point to be fixed by Parliament, which could be reached by private capital and private enterprise. The hon. member for Algoma had with an amount of candor that did him credit, but for which the Government would not thank him, had let some light upon the matter. Discussing the question naturally from an Algoma standpoint he had in the course of his interesting speech last night said that at an early day a road would be made to Sault Ste. Marie to connect with an extension of the Northern Pacific from Duluth. If that were not the case what did this expenditure mean? It would leave us at the feet of the Northern Pacific for the next fifty years, and make our great artery of commerce dependent on a rival road. When Sir HUGH ALLAN had entered into negotiations with American capitalists with this end in view the then Government of Canada had refused to sanction his plans; and it was owing to the patriotic stand that we were where we were to-day. The *Globe*, in the course of its comments on Sir HUGH ALLAN'S plans, had said :—

"A very cursory examination of the country to be traversed by the American road from the head waters of Lake Superior will show how fallacious all such arrangements are, and how not only the line through British territory may be carried through from strictly commercial considerations, but must be, if British authority is to be maintained on this continent, and our new Dominion made practically as well as in theory a great fact. Apart from all other considerations, the very fact that the line under consideration is through American territory would be a fatal objection to its being made the Grand Trunk line for the Canadian North-West. Those who had the command of it would in a very few years command the country. All the intercourse, both social and commercial, of the people of the North-West region would be directly with and through a foreign people, and what might at any moment become a hostile country. By a mere stroke of his pen a foreign ruler might lay an embargo upon the whole intercourse of that part of Canada with what lies to the east. The bonding system, as we have lately had hinted at in connection with a region nearer hand, might be stopped capriciously, and on very short notice; the tide of emigration might be turned away from our border, to a certain extent at any rate, while everything would conduce to make the absorption of the whole territory by the States a mere question of time, and of time very shortest at the longest. The connection of all that region with the more eastern parts of the Dominion would be merely nominal, and when the pear would be ripe, it would naturally fall, as from the first had been desired, into the lap of our very astute and enterprising cousins over the way .....

The proposed route for that undertaking is, on an average, four hundred miles north of that now being made from Duluth, and instead of being, as a large part of both American lines must be, through an irreclaimable desert it runs through a country which in fertility and climate, will compare favorably with any part of the North American continent.

"When this has been stated, nothing else is necessary. Any person of ordinary intelligence can see at a glance that a railway which never, throughout its whole course, comes within a hundred miles of the border lines of a country can do very little to develop the resources of that country. It is better than nothing, but that is all that can be said in its behalf. The immediate territory through which it runs would be benefitted chiefly and in the first place, and all beyond only incidentally, and after the lapse of many years.

"Instead of the fact that the 'North Pacific' is under construction being an argument for allowing the Canadian project to lie in the meanwhile in abeyance, it affords the strongest reason possible for its being pushed through without delay. Politically, it is a manifest and pressing necessity, while commercially it is as evidently of the very highest importance for Canada. In this way alone can this country have any chance for her fair share in the lucrative trade with the North-West which will assuredly spring up, and in the varied traffic with the Pacific world which to a great extent will pass through Canadian territory, if once what will be the shortest and easiest route from ocean to ocean is in working order.

"Our neighbors know the value of the prize involved, and are making gigantic efforts to secure it exclusively for themselves. Our rulers will be traitors to their country and to British connection if they lose a single season in making it practicable and convenient for settlers to go to Fort Garry through our own territory, and in putting things in a fair way for the Canadian Pacific Railway. It is a question not merely of convenience but of national existence. It must be pushed through at whatever expense. We believe it can be so pushed through, not only without being a burden pecuniarily to Canada, but with an absolute profit in every point of view. Without such a line a great British North America would turn out an unsubstantial dream;

with it, and with ordinary prudence and wisdom on the part of her statesmen, it will be a great, a glorious and inevitable reality."

Turning from this statement held up by the great organ of the party when Sir HUGH ALLAN proposed to enter into an agreement with the American capitalists to subordinate the commerce of this country to rival lines, in the speech of the Hon. First Minister, on this subject, he said:—

"It is felt that it is extremely difficult for us to pour a large population into that country, when the expense of transportation to Fort William, westward, is so great; and it is deemed advisable that we should not be driven, for any length of time, to pour a tide of emigration through any portion of the United States, in order to reach our own territory."

What would the House and the people think of the policy of the Government, with the light that had been thrown upon it by the hon. member for Algoma? After all this expenditure on a land and water route between Lake Superior and Fort Garry, did anyone suppose that an emigrant on a steamer on Lake Superior would travel by it when he could run down to Duluth and travel by an all-rail route to the very heart of Manitoba, as he could do after the completion of the Minnesota line to Pembina, and the construction of the Pembina Branch. Looking at it from that point of view, it appeared to him that if the object of the Government was not—and he did not for a moment intimate that such was their object—to hand us over bond slaves to our neighbors, and to fetter the commerce of Canada for the next fifty years, then it was an act of insanity. The hon. members for Marquette and Selkirk had shown that it was impossible for the Parliament of Canada to commit a greater folly than to appropriate this large sum to be expended outside of the Canadian Pacific Railway, instead of grappling with the great work itself. The hon. member for Algoma had asserted that it would take one hundred years to build the section north of the lakes. Did the hon. member forget that the Premier had laid upon the table a contract for constructing the 200 miles of railroad from Douglas to Georgian Bay within two and one-half years from the present time? The hon. gentlemen would believe, in view of this fact, that if the energies of the Government were rightly directed, and directed with equal vigor to the construction of a great national highway, it could be accomplished in a comparatively short period. He (Mr. TUPPER) would not assume that the policy of the Government was not founded on the purest patriotism, but if it were carried out the intelligent people of this country, from end to end, would believe that the Premier was not a free man; they would believe that the interests of Canada were subordinated to those of the Northern Pacific Railway, and that under these arrangements he was carrying out a policy which, while fatal to Canada, was eminently successful to that Company. The item in the estimates was between six and seven million dollars. He (Mr. TUPPER) was ready to put twice that amount in the hands of the Premier for the construction of a Canadian Pacific Railway, but not for the purpose of rendering it impossible for us to have a through railroad on Canadian territory. He therefore moved that the said resolution be amended by adding the following words: "That in view of the engagement entered into during the past year between the Government of Canada and the Imperial Government and British Columbia, to build a railroad without delay from Nanaimo to Esquimault on Vancouver Island, and to expend not less than $2,000,000 per annum in British Columbia on the Canadian Pacific Railroad, and to complete the construction of the line from the Pacific Ocean to the shore of Lake Superior in fifteen years, this House is of opinion that no time should be lost in beginning the eastern portion of the Canadian Pacific Railroad, and constructing it as rapidly as is consistent with a due regard to economy, from the point fixed by Parliament at or near to the south of Lake Nipissing, westward to Lake Nipegon and thence to Red River, commencing at Lake Nipegon and working eastward and westward, and that the Government should employ the available funds of the Dominion in the first place for the completion of that great national work—a continuous railway on Canadian territory by the shortest route from the Atlantic to the Pacific Ocean."

A division was taken on the amendment, which was rejected by the following vote:—

Yeas:

Messieurs

Brooks, McDonald (*Cape Breton*),
Cameron (*Caldwell*), McDougall (*Three Rivers*)

Caron,
Cimon,
Colby,
Costigan,
Currier,
Cuthbert,
Desjardins,
Domville,
Dugas.
Farrow,
Ferguson,
Flesher,
Fraser,
Gaudet,
Greenway,
Haggart,
Hurteau,
Jones (*Leeds*),
Kirkpatrick,
Little,
McMillan,
McCallum,
McQuade,
Masson,
Mitchell,
Monteith,
Montplaisir,
Palmer,
Pinsonneault,
Pope,
Robitaille,
Rouleau,
Ryan,
Schultz,
Thompson (*Cariboo*),
Tupper,
Wallace (*Norfolk*),
White,
Wright (*Pontiac*)—43.

NAYS:

Messieurs

Appleby,
Archibald,
Aylmer,
Bain,
Béchard.
Bernier,
Bertram,
Biggar,
Blackburn,
Blake,
Borden,
Borron,
Bourassa,
Bowman,
Brouse,
Brown,
Buell,
Burk,
Burpee (*St. John*),
Burpee (*Sunbury*),
Campbell,
Carmichael,
Cartwright,
Casey,
Casgrain,
Cauchon,
Charlton,
Cheval,
Church,
Cockburn,
Coffin,
Coupal,
Dawson,
DeCosmos,
Delorme,
De St. Georges,
DeVeber,
Dymond,
Ferris,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Fréchette,
Geoffrion,
Gillies,
Gillmor,
Gordon,
Goudge,
Laird,
Lajoie,
Landerkin,
Langlois,
Laurier,
Macdonald (*Glengarry*),
Macdougall (*Elgin*),
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
McKay (*Colchester*),
Mackenzie (*Lambton*),
Mackenzie (*Montreal*),
Maclennan,
McCraney,
McGregor,
McIntyre,
Metcalfe,
Mills,
Moffat,
Moss,
Murray,
Norris,
Oliver,
Paterson,
Pelletier,
Perry,
Pettes,
Pickard,
Pouliot,
Power,
Pozer,
Ray,
Richard,
Robillard,
Rochester,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Rymal,
Scriver,
Sinclair,
Smith (*Peel*),
Smith (*Selkirk*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson, (*Haldimand*)
Hall,
Horton,
Huntington,
Irving,
Jones (*Halifax*),
Kerr,
Killam,
Kirk,
Tremblay,
Trow,
Vail,
Wallace (*Albert*),
Wilkes,
Wood,
Wright (*Ottawa*),
Yeo,
Young—117.

Mr. MASSON said when he addressed the House a few days ago he remarked that he was opposed to the policy of the Government in regard to the location of the Pacific Railway, and was in favor of the plan of the late Government on that subject. The House had now decided to build the Georgian Bay branch, but he trusted that rights which had already been acquired would be respected. He therefore moved in amendment:—That this resolution be not now concurred in, but that it be resolved that in the opinion of this House no contract shall be entered into with any company for the construction of the Georgian Bay branch of the Canadian Pacific Railway, nor any subsidy granted for the construction of the railway from the Eastern terminus of said Pacific Railroad to Douglas or near Douglas until a thorough and complete instrumental survey shall have been made of the route proposed and the route by the Matawan, to ascertain which would be the shorter and more economical of construction.

Hon. Mr. BLAKE called attention to the fact that the contract for the construction of this branch had been laid upon the table and was subject to the ratification of the House. He thought it would be better to pass upon it by direct resolution and it seemed to him that his hon. friend should not proceed with the motion of this point.

Mr. MASSON said it was competent for any member to move that an amount be struck out of the estimates, which would be the effect of his amendment.

Hon Mr. HOLTON admitted that the motion might be in order, but seeing that the effect of it, if carried, would be to strike the whole grant for the Pacific Railroad from the estimates; and the hon. member and his friends had been calling very loudly for the construction of that road at the earliest possible moment, he thought it would be the better course to withdraw the amendment.

Mr. MASSON consented to withdraw the motion in the meantime.

Hon. Mr. HOLTON desired it to be understood that the hon. member reserved his motion until the contract was before the House ; otherwise he (Mr. HOLTON) would object to its withdrawal.

The amendment was withdrawn and the item concurred in on a division.

THE CANADA CENTRAL SUBSIDY.

Hon. Mr. MACKENZIE moved that this House do ratify the Order in Council granting a subsidy to the Canada Central Railway under authority of the Act providing for the construction of the Canada Pacific Railway, 37 Vict., Cap. 14, which order is to the following effect :—

"The Committee of Council have had under consideration the application of the Canada Central Railway Company for the subsidy proposed to be granted to Railway Companies under the terms of the Act, 37th Vic., cap. 14, entitled 'An Act to provide for the construction of the Canadian Pacific Railway,' and they advise that a subsidy of $12,000 per mile be granted to the said Company, to aid in constructing their line from the vicinity of the village of Douglas westward to the eastern end of the Branch Railway, proposed to be built from Georgian Bay by the Government, being about one hundred and twenty miles, upon and subject to the following conditions, namely :—

"1st. That the road shall be built upon a line to be approved by the Minister of Public Works, but which may be defined generally as ascending the valley of the Bonnechere from the vicinity of the village Douglas via Golden Lake and Round Lake, thence by as direct a line as may be found to Burnt Lake, and thence to the proposed terminus of the Government Railway, at about the 85th mile from Georgian Bay.

"2nd. That the Company shall within one month from the ratification of this Order of Council by the House of Commons, satisfy the Minister of Public Works that they have entered into a *bona fide* contract or contracts for the building of the Railway, and have provided sufficient means with the Government bonus to secure the completion of the line on or before the first day of January, 1877, and also that the Company shall, from the date of such contracts, make continuously such progress as will justify the hope of the completion of the line within the time mentioned.

"3rd. That the Company shall enter into an agreement to grant running powers on terms to be approved by the Governor in Council to the Northern Colonization Railway Company. The Kingston and Pembroke Railway Company from the point of intersection of their respective lines, provided such point of intersection is on the subsidized line or within five miles of the same, and also to such other Companies as may have the termini of their systems on or towards Lake Huron, and may be designated or approved by the Governor in Council as entitled to such running powers, provided that the terms of such running powers may be mutually agreed upon by the Canada Central Railway Company and the other Companies named, and in the event of a disagreement, the conditions shall be settled by arbitration, one arbitrator to be selected by each Company, and one by the Governor in Council.

"4th. The Government or lessees of the Government line from Georgian Bay to the western terminus of the subsidized line, or any future owners of said line, shall possess running powers on said railway on similar terms to the Companies designated.

"5th. That payment of the subsidy shall only be made on the completion of the railway in sections of not less than twenty miles, each payment to be made on the certificate of an Engineer, to be appointed by the Government, that a section or sections has or have been completed; payment may, however, be made of an amount equal to the subsidy on twenty miles, on work extended over a larger distance, which in value will be equivalent to not less than twenty-five miles of finished roadway; payment will also be made on rails delivered at any point of the line to be constructed, to the extent of seventy-five per cent. of the value thereof, such rails to become the property of the Government until they are laid on the road for use.

"The grant to be operative only after the ratification of this Order in Council by resolution of the House of Commons.

Certified.

W. A. HIMSWORTH,
Clerk, Privy Council."

Mr. MASSON moved the amendment he had just withdrawn.

The House divided on the amendment which was rejected on the following division:—

YEAS:

Messieurs

Bunster,
Cameron (*Cardwell*),
Caron,
Cimon,
Costigan,
Cuthbert,
Desjardins,
Domville,
Dugas,
Farrow,
Ferguson,
Flesher,
Fraser,
Gaudet,
Haggart,
Hurteau,
Jones (*Leeds*),
Little,
McDonald, (*CapeBreton*)
McDougall (*ThreeRivers*)
Macmillan,
McCallum,
McQuade,
Masson,
Mitchell,
Monteith,
Montplaisir,
Palmer,
Pinsonneault,
Pope,
Robitaillie,
Rouleau,
Ryan,
Schultz,
Thompson (*Cariboo*),
Tupper,
Wallace (*Norfolk*),
White,
Wright (*Pontiac*)—39.

NAYS:

Messieurs

Appleby,
Aylmer,
Bain,
Béchard,
Bernier,
Biggar,
Blackburn,
Blake,
Borden,
Borron,
Bourassa,
Bowman,
Brouse,
Brown,
Buell,
Burk,
Burpee (*St. John*),
Burpee (*Sunbury*),
Campbell,
Carmichael,
Cartwright,
Casey,
Casgrain,
Cauchon,
Charlton,
Cheval,
Church,
Cockburn,
Coffin,
Coupal,
Currier,
Dawson,
Delorme.
De St. Georges,
De Veber,
Dymond,
Ferris,
Fiset,
Fleming,
Forbes,
Fournier,
Fréchette,
Geoffrion,
Gillies,
Gillmor,
Gordon,
Goudge,
Greenway,
Hall,
Horton,
Huntington,
Irving,
Jones (*Halifax*),
Kerr,
Killam,
Kirk,
Kirkpatrick,
Laird,
Lajoie,
Landerkin,
Langlois,
Laurier,
Macdonald (*Glengarry*),
Macdougall (*Elgin*),
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
Mackenzie (*Lambton*),
Mackenzie (*Montreal*),
Maclennan,
McCraney,
McGregor,
McIntyre,
Metcalfe,
Mills,
Moffat,
Moss,
Murray,
Norris,
Oliver,
Paterson,
Pelletier,
Perry,
Pettes,
Pickard,
Pouliot,
Power,
Pozer,
Ray,
Richard,
Robillard,
Rochester,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Scriver,
Sinclair,
Smith (*Peel*),
Smith (*Selkirk*),
Smith (*Westmoreland*),
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Haldimand*),
Tremblay,
Trow,
Vail,
Wallace (*Albert*),
Wilkes,
Wood,
Wright (*Ottawa*),
Yeo,
Young—113.

A Bill incorporating the Western Insurance Company, and a Bill to amend the Act incorporating the Canada Car Manufacturing Company (from the Senate) were read a first time.

The House adjourned at six o'clock.

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HOUSE OF COMMONS,

Monday, March 15th, 1875.

The SPEAKER took the chair at three o'clock.

BILLS INTRODUCED.

The following Bills were introduced and read a first time:—

Hon. Mr. HOLTON (for Mr. JETTE)—To change the name of the Mutual Insurance Company of Canada to the Dominion Life Insurance Company, and to amend its Acts of Incorporation.

Mr. CARON—To authorize the St. Lawrence Navigation Company (steam) to change its corporate name to that of the St. Lawrence Steam Navigation Company, and to confer on it certain powers.

Mr. CARON—To incorporate the Quebec and Lake Huron Direct Railway Company.

Hon. Mr. LAIRD—To amend an Act respecting the appropriation of certain Dominion Lands in Manitoba. He explained that the object of this Bill was merely to correct a verbal error.

Hon. Mr. CARTWRIGHT—To further amend the Civil Service Superannuation Act. He explained that the objects of the Bill were, in the first place, to amend the second section of the Act by inserting thirty in place of forty. It appeared an injustice that in certain

cases men who had served for thirty years should be debarred that privilege. It was also provided that in case it appeared necessary to superannuate a party whose services should not have been entirely satisfactory, the Governor in Council may in such cases grant a superannuation allowance less than that to which he would otherwise have been entitled. This provision did not give the Government any more power than at present.

Sir JOHN MACDONALD entirely approved of the last section of the Bill. He thought it would have a good effect, enabling the Government to show their sense of the demerits of a public servant.

Hon. Mr. GEOFFRION—To provide for the salaries of County Court Judges in Nova Scotia and for other purposes.

THE INSOLVENCY BILL.

Hon. Mr. FOURNIER presented report of Select Committee on Insolvency Bill.

QUESTION OF PRIVILEGE.

Mr. BURPEE (Sunbury) said—Mr. SPEAKER: before the Orders of the Day are called, I beg to bring before the attention of the House a question of privilege. Three or four hon. members of the House, including a member of the Government, have been accused of malpractices by a leading paper in the Dominion, viz., the organ of the hon. member opposite, the Toronto *Mail*, which, if true, would deprive us of our seats in this House. I beg to state the case without any circumlocution, and to give it a flat denial. The article is not a lengthy one, and I am sorry to have to read it to the House, in order to convey a correct opinion of what the charge is. With the consent of the House, therefore, I will read the article referred to, which appeared in the Toronto *Mail* of the 8th March, and is headed "Burpeeism." It is as follows:

"Reference was made in our Ottawa despatch a few days ago to the annulling of a sale which had been made by the Dominion Government to a railway company in New Brunswick of a parcel of land in the heart of the city of Fredericton. The transaction, so far as the facts are known, was a most scandalous one. It is extraordinary that this sale could ever have been made. Of course the Minister of Customs, Mr. ISAAC BURPEE, has his influence in the Cabinet, and there are in the House, supporting the Ministry of which he is a member, Mr. ISAAC BURPEE, his uncle, Mr. PICKARD and Mr. APPLEBY, relatives in other degrees. What they might demand of the Government would be demanded with a strong voice; the more so as a director of the company to which the sale was made, the Fredericton Branch Railway Company, is Mr. E. R. BURPEE, a brother of the Minister of Customs. The combination was certainly a strong one.

"Well, some four or five months ago, the combination asked that this piece of land, five acres, should be sold to them, and they offered for it the sum of $6,000. The sale was effected; the money, we believe, paid over. The sale was made despite the protest of the Fredericton City Council which, we are credibly informed, has been ready to give for it, for park purposes, no less an amount than $100,000. Indeed, we are assured that in the recent interviews between the First Minister and the civic representative of Fredericton, Mr. MACKENZIE was given to understand that this amount would be paid for the land rather than that it should be so shamefully sacrificed. The result was the cancelling of the sale, as already announced in our columns.

"We have heard much of late of the Tanneries 'swap.' There can be no doubt that in that transaction the Government of Quebec was shamefully swindled. But, bad th ough it was, it was not one-tenth part as bad as this sale to the BURPEE connection of a block of land worth $100,000, for the paltry sum of $6,000. Mr. MACKENZIE will, no doubt, take credit now for having blocked the swindle. Whatever credit may be due to him for this circumstance is more than discounted by the fact that he ever permitted the sale to be effected, and that he only stepped between the rascally combination and the public to avoid the obloquy which he saw was coming upon himself. He must have been very remiss in his duty—to speak with excessive moderation—to have allowed the Treasury to be so shamefully cheated; and it is but a poor thing for a Minister to do under the pressure of fear what his better judgment and virtuous promptings had not dictated. We believe Mr. BURPEE says he was not present in Council when the sale was

made. That would be a poor excuse in any case; but we should like Mr. BURPEE to state if the Order in Council was not signed by himself in the absence of the Minister to whom that duty would have fallen had he been present. Of course it is not very material whether he was or not. The onus of the transaction, disgraceful in the extreme, must primarily rest upon him.

"It seems to us Parliament ought to insist upon probing this matter to the bottom, even though Mr. MACKENZIE has sought to escape enquiry by a sacrifice of his colleague. If report speak truly, New Brunswick is pretty much governed with a view to the financial advantage of a particular family with large connections. Bit by bit we get at the reasons for these rumours. We see that Mr. PALMER has a notice on the paper in reference to the matter, and doubtless he will throw further light upon it, dark and shameful as it is."

The charge of the *Mail* is that the Minister of Customs, his uncle (referring to myself), Mr. PICKARD and Mr. APPLEBY, relatives in various degrees, formed a combination for the purpose of influencing the Government in favor of selling certain Ordnance lands in New Brunswick despite the protests of the City Council of Fredericton to the Fredericton Branch Railroad Company, of which E. R. BURPEE, a brother of the Minister of Customs, is a director, for the sum of $6,000, which they say is worth $100,000. It is also stated that the sale was made to the BURPEE connection, that the transaction was a shameful swindle—ten times as bad as the "Tanneries Swap" transaction of Quebec, and that thereby the Treasury has been shamefully cheated. The *Headquarters* article reads in effect—"That the Minister of Customs urged the passing of an Order in Council for the sale of certain Ordnance lands to the Fredericton Railroad Co. That the said Company issued bonds amounting to $90,000 or $100,000, and that the Minister of Customs is largely interested in those bonds. That securing the said land for $6,000, alleged to be worth $30,000, is in his own interest, as it would enhance the value of the bonds. That the Minister of Customs is closely connected with E. R. BURPEE in railroad enterprises, and that the sale was made in the interests of a company in which the BURPEE family was interested." There is not now, nor has there ever been, any combination or understanding between the Minister of Customs, Mr. PICKARD, Mr. APPLEBY and myself, nor between any of these gentlemen and myself for the purpose of influencing this Government or any other Government to sell certain Ordnance lands in New Brunswick to the Fredericton Railroad Company, and that I never had any conversation whatever with any of these gentlemen in reference to the sale of the said lands. I never sought to influence the Government or any member of it in reference to the said sale. I never had any conversation or communication directly or indirectly, with any member of the Government, or with any member of the House, in reference to the said sale until within a few days ago. Certainly not until attention had been called to it by communications in papers, and then only with reference to the falsity of the reports. I was never solicited by E. R. BURPEE, or any other person, either directly or indirectly, to interfere or use any influence with the Government or any member of it, or with any member of this House, to induce the said sale. I have not now, nor have I ever had any interest, directly or indirectly, in the said railroad, or in any of its bonds or securities, and all the charges in the said article in reference to myself are false and slanderous. It is stated that Mr. PALMER is about to move in the matter, and I trust that he, or the member for Kings, will take a committee and investigate the matter thoroughly. I invite investigation of the most rigid nature. I shall be most happy to go before a committee and be examined myself. I court inquiry, and if I or any of the parties referred to are guilty of any complicity with fraud, I know full well that their disinterestedness and zeal in the public interest will not leave a stone unturned to ferret it out. I would appeal to the First Minister and the whole Government individually to bear testimony in reference to any influence I have sought to exert in favor of the sale of the Ordnance land or any of the projects named by me, or of which I am accused.

Mr. PICKARD said he had no interest in what the Government had done, and had never been consulted at all in the mat-

ter referred to. The sale of Ordnance lands was all written upon paper, and if the House wanted an investigation all they had to do was to appoint a committee and have it investigated, and then they would know whether there was a swindle—another Pacific Scandal or not. He would never have taken any notice of the attack had not the hon. member for Sunbury referred to it, and mentioned one of the PICKARDS as being attacked. He saw on the notice paper a question by Mr. DOMVILLE, "whether any, and what sum was paid by the Fredericton Branch Railroad, or by TEMPLE and BURPEE, or either of them, or by any other parties, as payment or deposit for the purchase of certain ordnance lands at Fredericton, N. B." There were two firms in the iron business in St. John, N. B.—one was DOMVILLE and the other was BURPEE, and it appeared that one was trying to injure the other. He held in his hand the receipt from the Receiver General for the amount of money that was paid for the land; and he also held a letter from the department where he applied for a portion of the land, stating that the land was sold. He was not ashamed to say that he had an interest in every railroad in the Dominion, but he had it in common with every man; and there was no act of his in connection with any railroad or public work that he was not willing to have investigated by any committee the House might appoint. He was quite willing to go before any committee and abide by the result of its investigation.

Hon. Mr. BURPEE said he had heard there had been an article in certain newspapers with reference to the sale of ordnance lands at Fredericton, but he had never read it, and had never heard it read until he had now heard it from the hon. member for Sunbury. He did not now rise for the purpose of making a speech, but just to give a flat denial to the charge. He wished to state most emphatically that he had never sought to influence either directly or indirectly any member from New Brunswick or any of the parties alluded to, or any member of the Government of this Dominion or any member of this House, with reference to the matter mentioned in the article read by the hon. member for Sunbury. He denied most emphatically that he had used any influence in the matter or named the price or value of the land. The President of the railroad company first asked to lease the land and afterwards the Government thought the land should not be leased but sold. Applications were made for the land, and parties here from Fredericton were asked to value it. The highest price fixed was $6,000, some were lower, but the Government were not satisfied and referred the matter to their officer at Fredericton. He reported the value of the land at $6,000 also. He desired to state most emphatically that he never had any interest in the matter or with any of the persons named. He also gave a flat denial to the charge that he had any interest either in bonds or stock or securities whatever of the Fredericton Branch Railway, and the statements of a local paper in that connection were utterly false from beginning to end. He would not have taken any notice of the article because he looked upon it as a malicious and insulting article, and the parties who had inspired it had gone so far from common sense and reason that they had defeated their own object. He also desired to give a flat denial to the charge that he had forced or influenced any members of the Council to pass the Order. He wished on the floor of this House to give a flat denial to the charges of the *Mail* and the *Headquarters*, so far as he was concerned in this transaction, and his interest had been entirely the good of the Dominion.

Mr. PICKARD contended that the Ordnance lands should have been given free to the railway.

Mr. APPLEBY thought it was unnecessary to notice all the slanders brought against public men, but as this matter had been brought up by the hon. member for Sunbury, and his (Mr. APPLEBY'S) name was mentioned in connection with it, it was necessary that he should make some reference to it. It was true he was a distant relation of the Minister of Customs, but he was not to be blamed for that, nor was the Minister of Customs. So far as the article referred to himself he might say that he did not even know that the Company wanted the land. He had had no conversation on the subject with any one until he saw this charge made in the *Mail*. Neither was he interested in the business with the BURPEES.

Mr. PALMER was extremely sorry that his hon. friend from Sunbury should

have brought his (Mr. PALMER'S) name up in connection with this matter. With reference to the paper, which is stated to be his organ, he might say that he had no more control over the articles which appeared in its columns than the hon. gentleman himself. He (Mr. PALMER) had nothing to do with any of the charges, and in fact knew nothing of the transaction, except in so far as the Mayor of Fredericton had mentioned it to him. That gentleman had applied to him (Mr. PALMER) stating not at all what the hon. member for Sunbury had stated in this House, but simply that Mr. E. H. BURPEE, being one of the principal owners of the Fredericton Branch Railway, and Mr. TEMPLE, the President of the Com^{y} pany, had purchased from the Dominion of Canada land worth $30,000 for $6,000, and that an Order in Council had been passed for the transfer of the land. He said that he (the Mayor) did not know whether the Government could cancel the Order in Council or not, and he called on him (Mr. PALMER) to have the matter thoroughly investigated in the House of Commons in case it was not cancelled. Afterwards he (Mr. PALMER) understood that the Order was cancelled, and he had nothing more to do with it. He had not the slightest feeling in the matter, nor had he any desire to cast obloquy on any member of this House. He had not read this article at all, and he had only to say that it was wrong in so far as it stated that he (Mr. PALMER) placed any notice on the paper or said he would.

Mr. BURPEE (Sunbury) said if he had made any reflection on the hon. member for St. John he did not intend it. He only stated that the *Tribune* was called his organ, which was a simple fact stated every day in St. John. With reference to the visit of the Mayor of Fredericton, he had simply to say that he was credibly informed that Mr. E. H. BURPEE was in the United States at the time the negotiations were going on, and had nothing whatever to do with the transaction.

Right Hon. Sir JOHN MACDONALD said he was sure the House would receive this statement, and it would be only necessary to move to have the papers brought down, when there was no doubt they would show that the charges were without foundation.

Hon. Mr. MACKENZIE said they could be brought down without a motion at all. He could entirely corroborate what the hon. gentleman behind him had said, as none of them had applied to the Government, directly or indirectly, nor were they interested in any way in the matter.

PRIVATE AND LOCAL BILLS.

Bill to incorporate the Upper Ottawa Improvement Company, was read a third time and passed.

The following Bills were read a second time:—

To incorporate the Metropolitan Insurance Company of Canada.

To incorporate the North Western Manufacturing Company.

To grant further powers to the Montreal, Chambly and Sorel Co. to change its name.

To authorize François-Xavier Galarneau and others to build a bridge over L'Assomption River, in the Parish of L'Assomption.

To amend the Act incorporating the Western Assurance Co., and other Acts affecting the same, and to extend the powers of the said Company, (from the Senate.)

To amend the Act incorporating the Canada Car and Manufacturing Company.

NIAGARA INTERNATIONAL AND SUSPENSION BRIDGES.

Mr. MOSS moved the second reading of the Bill to legalize and confirm certain agreements made between the Niagara Falls International Bridge Company, the Niagara Falls Suspension Bridge Company and the Great Western Railway Company. He said he was requested by the Great Western Company to introduce this Bill. He pointed out to the representation that certain additions would, in his judgment, be necessary to be made to this Bill in order to do justice to certain parties interested in the Canada Southern or Erie and Niagara Railways. The Great Western Company was willing that such additions should be made. He (Mr. Moss) thought it desirable that these additions should be made, and if they were not he would not proceed with the Bill.

Hon. Mr. MACKENZIE asked if these additions would interfere with the right conceded to the Canada Southern Railway.

Mr. MOSS said they would not. He would not have anything further to do with this Bill, if those rights which the Railway Committee of the Privy Council thought proper to grant to the Canada Southern Railway, were not secured to them.

Hon. Mr. MACKENZIE said there could be no objection to the Bill going into Committee, but with the distinct understanding that no legislation contained therein should set aside any rights conceded by law.

The Bill was read a second time.

MIRAMICHI VALLEY RAILWAY.

Hon. Mr. MITCHELL asked whether the Government would be prepared to consider favorably a proposition for granting aid from the Treasury of the Dominion to the project for a "Miramichi Valley Railway," as this road would greatly shorten the distance between Montreal and the nearest summer port to Europe, and also as likely to form an important feeder to the Intercolonial Railway?

Hon. Mr. MACKENZIE—The Government had no application at all from this Company, in reference to the matter, nor are we possessed of such information as would justify us in saying anything either for or against the project at the present moment.

LITTLE GLACE BAY.

Mr. McDONALD, (Cape Breton) asked whether the Government would entertain any proposition for the sale of the Harbor of Little Glace Bay, Nova Scotia, for the same reasons as they have purchased the Breakwater at Cow Bay, and if not, whether the Government would grant a subsidy to extend that Harbor and make it a Harbor of Refuge for vessels drawing over seventeen feet of water?

Hon. Mr. MACKENZIE—In the first place we cannot entertain any proposition for the sale of the harbor as we do not own it. In the second place no application has been made for a subsidy to extend that harbor, and make it a harbor of refuge, except the question put by the hon. member, and we are not in possession of any precise information about it, but such information as we have leads to the belief that it is not necessary for that purpose.

THE PLIMSOLL BILL.

Hon. Mr. MITCHELL asked whether any and what correspondence has taken place between the Government of Canada and HER MAJESTY'S Government in reference to the measure about to be introduced into the British Parliament, by the last named Government, in relation to British Merchant Shipping; also whether a remonstrance has been made to the British Government against any legislation of the British Parliament affecting Canadian Shipping in the direction indicated by Mr. PLIMSOLL, or otherwise seriously affecting our shipping without the approval of the Parliament of Canada.

Hon. Mr. SMITH—There is no such correspondence. The Government are now considering the propriety of making some remonstrance against the legislation referred to. If the hon. gentleman has any suggestion to make as to his experience in the matter I will be glad to receive it.

THE PROCEEDINGS AGAINST MR. HUOT.

Mr. TASCHEREAU asked whether the Government had taken civil proceedings against P. G. HUOT, late Postmaster for the City of Quebec, and against his sureties for the amount of his defalcations; and if so, to what point such proceedings have reached, and what hope the Government has of reimbursing itself;

2nd. If any grounds for criminal proceedings against the said P. G. HUOT exists, and when it is the intention of the Government to commence such proceedings?

Hon. Mr. FOURNIER—The Government has ordered civil proceedings to be taken against Mr. HUOT, and against his sureties. The action is now pending and has been delayed for some time, in consequence of exceptions which were taken as to the mode of proceeding. In regard to the second part of the question, it was decided by my predecessor that there was room also for criminal proceedings against Mr. HUOT, but none were taken because at the time Mr. HUOT was very sick, and not expected to live long. Nothing has been done in that respect since.

HARBOR AU BOUCHE.

Mr. McISAAC asked whether it is the intention of the Government to have Har-

bor au Bouche dredged next summer; and if so, how early in the season shall the work be commenced?

Hon. Mr. MACKENZIE—We hoped to have been able to get some dredging done in that harbor as the dredge returned from the Harbor of Chezettecook, but when it will be done I am unable to say. The hon. gentleman knows this harbor is so very near the Gut of Canso that it is not so important as some other harbors, but we will reach it as soon as possible.

LEVIS CUSTOM HOUSE.

Mr. FRECHETTE asked whether it is the intention of the Government to establish a Custom House within the limits of the town of Levis.

Hon. Mr. BURPEE—The matter is under consideration of the Government, and has not yet been decided.

TERMS OF UNION WITH BRITISH COLUMBIA.

Mr. DE COSMOS asked whether the Government intend to carry out the agreement made by the Dominion Government with the Government of British Columbia, namely, the agreement made by the Hon. Mr. TILLEY, Minister of Finance, on behalf of the Dominion Government, with Mr. De COSMOS on behalf of the Government of British Columbia, to grant, in aid of the construction of a first-class Graving Dock at Esquimalt, the sum of £50,000 sterling to British Columbia in lieu of the guarantee of interest in section twelve of the Terms of Union with that Province, and which agreement was subsequently agreed to and confirmed by the Hon. Mr. MACKENZIE, Premier and Minister of Public Works, on behalf of the Dominion Government; and if the Government do not intend to carry out the said agreement what are their reasons for refusing to carry it out?

Hon. Mr. MACKENZIE—I object to form of this question. It contains an the argument and statements intended to convey a particular impression. If the question is put in a proper way upon the paper I will answer it. I have simply to say at present that the Government will carry out all agreements ever made either by themselves or by their predecessors.

PORT DARLINGTON HARBOR.

Mr. BURK moved an address for copies of the engineer's reports and all papers connected with the survey of Port Darlington Harbor.—Carried.

HARBORS AND BREAKWATERS OF PRINCE EDWARD'S ISLAND.

Mr. YEO moved an address for the report of the engineer in charge of the harbors and breakwaters in Prince Edward's Island.

Hon. Mr. MACKENZIE said there was no objection to the motion but a similar motion had been made in the Senate.

The motion was dropped.

LIQUOR LICENSES IN NEW BRUNSWICK.

Mr. BURPEE (Sunbury) moved an address to HIS EXCELLENCY, the GOVERNOR GENERAL, praying him to cause to be laid before this House, a return of all decisions made since the 1st of January, 1875, by the Supreme Court of New Brunswick, with reference to the jurisdiction of the Local Government or Municipal authorities in that Province in granting or withholding licenses for the sale, or regulating the sale, of spirituous liquors. He said he called the attention of the Government to this matter because some two or three counties in the Province had refused to grant licenses, and the Supreme Court had decided that they had no power to do so. He made this motion in order that some action might be taken in this House before the close of the session to prevent confusion, if not litigation.

PILOTAGE.

Hon. Mr. MITCHELL moved an "Address to HIS EXCELLENCY the GOVERNOR GENERAL for all correspondence with Boards of Trade or other parties, Minutes of Council, reports and papers, in relation to the effect of an Act entitled 'An Act respecting Pilotage,' having reference to the effect upon Trade and Navigation of the said Law, as effects collisions and the responsibility of pilots and owners of vessels in such cases,"—Carried.

SUBSIDY TO THE QUEBEC AND GULF PORTS COMPANY.

Hon. Mr. MITCHELL moved an "Address to HIS EXCELLENCY the GOVERNOR GENERAL for all papers and correspondence, advertisements for Tenders, if any, with terms of renewal or extension of subsidy to Quebec and Gulf Ports Company for service between St. Lawrence and

Pictou, showing for what special service that renewal of subsidy was given, also whether any other parties or companies intimated a desire to compete for the service."—Carried.

MOST DIRECT ROUTE BETWEEN CANADA AND EUROPE.

Hon. Mr. ROBITAILLE moved "That the Report presented to this Honorable House, towards the close of the last Session, by the committee appointed to inquire into the best and most direct route between Canada and Europe, be referred to the Committee on Printing, together with the answers received since the presentation of the Report."—Carried.

CHATHAM BRANCH RAILWAY,

Hon. Mr. MITCHELL moved an "Address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all correspondence, memoranda, propositions, Reports to Council and Minutes of Council in relation to aiding the Chatham Branch Railway, or in connection therewith."—Carried.

SECTION SIXTEEN OF INTERCOLONIAL RAILWAY.

Hon. Mr. MITCHELL moved an "Address to HIS EXCELLENCY the GOVERNOR GENERAL for a statement in detail of the several amounts paid out by the Government for work actually performed on Section Sixteen of the Intercolonial Railway, from the time the work was taken out of the hands of the Contractor until the present time, with the names of the parties to whom sums were paid and the particular duties performed therefor;

Also, a statement in detail of any other sums (if any) which have been paid by the Government in relation to said section, from the time the said section was taken out of the contractor's hands up to the present time, stating in detail the grounds for paying the same, and whether the amounts so paid (if any) were sanctioned by the contractor before payment, and if not, what steps were taken by the Government to ascertain the correctness of such payments;

Also, any report of the officer in charge of said work, or others, in relation to the completion and condition of said section when completed;

Also for a statement in detail of all quantities of work performed in rock cutting on Section 16 of the Intercolonial Railway since the section was taken out of the lands of the contractors;

Also copies of all Orders in Council, copies of the Reports of the Commissioners, of Mr. C. J. BRYDGES, Mr. COLLINGWOOD SCHREIVER or other parties connected with the completion of such work, also in regard to taking possession of the buildings of the contractors.—Carried.

LUMBER EXPORTATION FROM CHICOUTIMI AND SAGUENAY.

Mr. TREMBLAY moved an "Address to HIS EXCELLENCY the GOVERNOR GENERAL for a statement showing the number of pieces of square timber, spars, masts, deals and boards exported, from the month of April, 1874, up to this date, from the counties of Chicoutimi and Saguenay; the said statement to specify the kinds of timber, the quantity of each kind, the places where the timber was shipped, the names of the proprietors and of the agents of the establishments where the timber was exported."—Carried.

MONTREAL HARBOR DUES.

Mr. WILKES moved "An Address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of instructions given to Collectors of Customs in Ontario to collect Montreal Harbor Dues, on all freight landed at the Port of Montreal; also, a statement of the rate of dues so levied, and the principle on which they are computed."—Carried.

THE KITSON LINE.

Mr. WILKES moved "an Address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all Orders in Council or other authority granted to certain American Steamboat proprietors, known as the 'Kitson Line,' to trade on the Red River in the Province of Manitoba—said Company being reputed to discriminate in its rates of freight against merchandize from the Provinces of Quebec and Ontario, and to have a practical monopoly of the Trade of the Red River."—Carried

THE WASHINGTON TREATY.

Mr. DECOSMOS moved "an Address to HIS EXCELLENCY the GOVERNOR GENERAL for a copy of all correspondence between the Dominion Government and that of the United States, and between any person in British Columbia and the

Dominion Government, respecting the right of entering fish-oils and fish of British Columbia, duty free, in the United States, under the twenty-first article of the Treaty of Washington, dated May 8, 1851."—Carried.

THE CASE OF ALEX. YOULL.

Mr. GALBRAITH moved for a Select Committee to investigate the causes of certain alleged losses said to be sustained by ALEXANDER YOULL, of the Township of Ramsay, as prayed for in his petition to Parliament, said committee to have power to send for persons and papers.—Carried.

INSTRUCTIONS TO POSTMASTERS.

Mr. BERTRAM moved an address to HIS EXCELLENCY the GOVERNOR GENERAL for a copy of instructions issued to Postmasters in cities, towns and villages by the Postmaster General, under authority of Sec. 42 of 31 Vict., with reference to dutiable goods brought into the Dominion through the Post Office.—Carried

INTER-PROVINCIAL TRADE.

Mr. FLEMING moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for Returns showing the quantity and value of Salt, Coal, Coke, Wheat, Corn and other grains; Wheat and Rye Flour and Meal, exported from and imported into the Provinces of Ontario, Quebec, Nova Scotia and New Brunswick, from the 7th April, 1870, to the 1st April, 1871, with the amount of Duties collected on these articles at each port of entry.

Hon. Mr. MACKENZIE said the Government could only give the aggregate returns from each port. They could not give any Provincial exports and imports. They could merely give foreign exports and imports in a general way.

The motion was carried.

THE NEW BRUNSWICK SCHOOL ACT.

Mr. TREMBLAY propose une Adresse demandant copie de toute dépêche transmise par le Gouvernement Impérial, depuis le 7 nov. 1873, au sujet de référence au Conseil Privé de SA MAJESTÉ de la question des écoles séparées dans la Province du Nouveau-Brunswick, avec copie du jugement rendu dans cette affaire par l'hon. Conseil Privé de SA MAJESTÉ.—Portée.

APPOINTMENT OF J. A. HAMEL, ESQ.

Mr. CIMON propose qu'une humble adresse soit présentée à SON EXCELLENCE le GOUVERNEUR-GÉNÉRAL, priant SON EXCELLENCE de mettre devant cette Chambre:

"1. Tous les documents concernant la nomination de J. A. HAMEL, écuier, de la Malbaie, médecin, pour aller vacciner les sauvages sur la côte nord du fleuve St. Laurent pour les années 1868 et 1869, avec les instructions à lui données, et les rapports produits par lui pendant ces deux années à ce sujet;"

"2. Un état montrant le nombre des sauvages vaccinés par le dit J. A. HAMEL, pendant ces deux années ainsi que les comptes produits par le dit J. A. HAMEL et le montant des sommes d'argent à lui payée par le Gouvernement pour services rendus pendant ces deux années à ce sujet;"

"3. Toutes les correspondances envoyées au Gouvernement pendant les dites deux années de 1868 et 1869 par le Rév. Père ARNAULT et autres au sujet du dit J. A. HAMEL."—Portée.

MONTREAL REGISTRY DIVISION.

Mr. LAFLAMME moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL praying him to cause to be laid before this House a copy of the Bill passed in the last Session of the Legislature of the Province of Quebec, intituled "An Act to divide in three parts the Registry Division of Montreal."—Carried.

THE LAND PURCHASE ACT OF 1874.

Mr. PERRY moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for correspondence which may have taken place between the Government and the Local Government of Prince Edward Island with respect to the Land Purchase Act 1874.—Carried.

QUEBEC GRAVING DOCK.

Mr. ROBITAILLE moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all papers, documents, letters and correspondence, having reference to the selection of the site for the construction of a Graving Dock in the Port of Quebec.—Carried.

ORDNANCE LANDS AT FREDERICTON.

Mr. DOMVILLE moved an Address to HIS EXCELLENCY the GOVERNOR GENE-

RAL for all papers, correspondence, telegrams or Orders in Council connected with the sale of certain Ordnance Lands at Fredericton N. B., to the Fredericton Branch Railroad Company, or to TEMPLE and BURPEE, or other parties, and all papers, correspondence, telegrams and Orders in Council connected with the cancelling of said sale; also the memorial from the Corporation of Fredericton, N. B., praying for the sale to be cancelled.—Carried.

THE PLIMSOLL MOVEMENT.

Hon. Mr. MITCHELL moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for all papers, despatches, Minutes of Council and correspondence had with HER MAJESTY'S Government in relation to the legislation which was under the consideration of the Imperial Parliament in relation to British Merchant shipping from 1871 to the end of 1874, in connection with the so-called PLIMSOLL movement; also in connection with the proposed Legislative measure in relation to merchant shipping at present proposed by HER MAJESTY'S Government; also, all papers, Minutes of Council and despatches had between the Government of Canada and HER MAJESTY'S Government, protesting against any Legislation being had by the Imperial Parliament which would affect Canadian shipping.—Carried.

GRAVING DOCK AT ESQUIMAULT.

Mr. DECOSMOS moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL, praying that he may be pleased to lay before this House at the earliest moment possible, copies of all correspondence with the Government of British Columbia or with any person on behalf of that Government respecting the construction of a first-class Graving Dock at Esquimault; also, copies of any Order in Council on the same subject; and also copies of the correspondence with enclosures between the Secretary of State and Mr. DECOSMOS in 1874, respecting the said Graving Dock; also a copy of the resolution submitted to the House by the Government during the last Session of Parliament respecting the said Dock; also a copy of the first Bill submitted to Parliament last Session, to carry out the object of the said Resolution, and also a copy of the Act of last Session providing for aid in construction of said Dock, in lieu of the guarantee of interest in section twelve of the Terms of Union with British Columbia.—Carried.

PICTOU HARBOR.

Mr. KILLAM moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all correspondence between the Government or the Intercolonial Railway Commissioners and any other person on the subject of a scow or barge loaded with stone for the Intercolonial Railway, and sunk near the mouth of Pictou Harbor; also copy of receipt for money paid, if any, for the said barge; also statement of any claims upon the Government for damages to any vessel by striking upon the said barge.—Carried.

CIVIL SERVICE REFORM.

Mr. CASEY moved for a Committee of the Whole to consider the following resolutions:—That the present system of nomination to situations in the Civil Service is not the most convenient, nor the one best calculated to obtain efficient Public Officers; That it would be expedient to substitute for it, as far as the exigencies of the Service will allow, a system of open competitive examinations as a means of obtaining entrance into the Public Service. He said he need not say much about the importance of this question. It would be admitted by all that the question of the efficiency or the inefficiency of the Civil Service was one that touched the most vital interests of the country. They were all aware the Civil Service was the means by which all the acts of the Government were carried out; that it was the right arm of the Government; and that without it the Government would be as useless as the brain without an arm to carry out its commands, or as the locomotive without the machinery to drive. No matter how excellent might be the Government of the day, or how wise its administrative acts, it might be spoiled by the faults of the Civil Service. He laid down in his motion two general propositions:—first that the system of a nominated Civil Service is not the best one, and, second, that the method of open competitive examinations is a better one. He would endeavor to give some reasons why the present system was not the best one under all circumstances. The most evident fact against the present system

was that if it offered no guarantees for the efficiency of these appointed. It did not follow that no efficient men were appointed, but while efficient and inefficient appointments had been made, the Civil Service on the whole was not by any means as efficient as it could be made. The reasons theoretically why this method of nomination allow inefficient men to be appointed was that the appointment made nominally by the Governor in Council on the advice of the responsible head of the department, but nobody supposed that the head of the department had taken the time and trouble necessary to investigate the qualifications of every candidate for office as it would be utterly inconsistent with the discharge of his duties to do so. He must take the advice of the deputy head of the department or some of his subordinates. But here were the same difficulties, as the deputy head of the department could not inquire into the fitness of every candidate throughout the country, and must either make a hasty appointment or be guided by the advice of others. Practically the Government was generally guided by the advice of its supporters. The Government was not supposed to know what was desirable in every employee in every department; and the member could not always know the qualifications of the man whom he might recommend for appointment to the Customs of the Post Office, for he would not have time and facilities for obtaining the required information, and might make his recommendations in the dark, or was under strong temptations to do so. He has to consider, not merely the fitness of the person to be appointed, but what effict the recommendation would have upon his prospects in the next election. He was not merely bound to do so, but presure was brought to bear upon him, not merely by influential supporters, but he was liable to be approached with inducements by an influential opponent to make a particular recommendation without having any particular knowledge of the person to be recommended. In other cases where he did not know the member, he must get advice and information from candidates' friends, and be led by incorrect information to make a wrong recommendation. The country can by no means feel satisfied or be sure that every appointment is made in the best interests of the country. And that every candidate appointed on these recommendations was the fittest possible man for the place occupied. It was not by any means a mere theoretical deduction from these arguments that inefficient men did get into the departments. Not to speak of the public service of this country which was generally very highly thought of. He would quote from the report of the English Commissioners, Sir STAFFORD NORTHCOTE and Sir CHAS. TREVELYON appointed in 1863 to investigate and report upon the efficiency of the English Civil Service :—

"It would be natural to expect that such a profession would attract into its ranks the ablest and the most ambitious of the youth of the country, that the keenest emulation would prevail among those who had entered it; and that such as were endowed with superior qualifications would rapidly rise to distinction and eminence. Such, however, is by no means the case. Admission into the Civil Service is indeed eagerly sought after, but it is for the unambitious, and the indolent or incapable, that it is chiefly desired. Those whose abilities do not warrant an expectation that they will succeed in the open profession where they must encounter the competition of their contemporaries, and those whom indolence of temperament or physical infirmities unfit for active exertions, are placed in the Civil Service, where they may obtain an honorable livelihood with little labor, and with no risk; where their success depends upon their simply avoiding any flagrant misconduct, and attending with moderate regularity to routine duties; and in which they are secured against the ordinary consequences of old age, or failing health by an arrangement which provides them with the means of supporting themselves after they have become incapacitated. It may be noticed in particular that the comparative lightness of the work, and the certainty of provision in case of retirement owing to bodily incapacity, furnish strong inducements to the parents and friends of sickly youths to obtain for them employment in the service of the Government; and the extent to which the public are consequently burdened, first with the salaries of officers who are obliged to absent themselves from their duties on account of ill-health, and afterwards with their pensions when they retire on the same plea, would hardly be credited by those who have not had

opportunities of observing the operation of the system." This was pretty strong language, but it was the language used by these responsible English Commissioners. The present system of nomination left the door open to inefficiency and inflicted a direct loss upon the public service. There were further evils arising from that system of appointment, and not the least was the discouragement of good industrious officials, who saw appointments made over them from political considerations, and thus the energy and time and activity they had devoted to their work was thrown away. Another discouragement to the able and industrious was that as promotions were made by seniority, those who were in unimportant positions could work up quietly and to the highest ranks, and indeed to become advisers to Ministers, and thus upon their advice might rest the whole business of the department. The possibility of loss from the course is increased by the difficulty of dismissal, for the Government would find it difficult, lest it might displease prominent supporters. Apart from that, the nomination system was very apt to lead to the establishment of what was sometimes called a bureaucracy, or a sort of family compact among the civil servants. Where appointments were not given for political reasons they were very often given to the relations or friends of old and efficient public servants, with the idea that in this way the efficient officers were rewarded for their good conduct. While it was proper to reward good conduct, it should not be done to the injury of the public service, and the fact that men had relatives who were efficient public officers was no guarantee of their own efficiency. The establishment of such a system of bureaucracy would lead to the extension of red-tapeism. Official traditions would become more fixed and indissoluble than the laws, and the intentions of Ministers and Acts of Parliament might be frustrated by the traditions of office. It was no degradation to our present Civil Service to hint that some of these causes may have an effect on its members. Perhaps, taking the Civil Service as a whole, a body of men of the same age and experience might be found in other walks of life who would get through rather more business than the Civil Servants of this country. There was an impression abroad through the country, that there were more men employed in the Civil Service than were absolutely necessary to do the work, if they were as efficient as were the employees of business firms. He did not know how far this impression was correct, because no official report on the Civil Service had been published. A very considerable time was occupied to transact comparatively small matters of routine business in the departments; whether that arose from the clerks being over-worked or the work being over-clerked, he would not say. That impression, being abroad, and the fact that in order to obtain entrance to the public service influence must be had with some supporters of the Government or with the Government themselves, had certainly tended to degrade the service in the estimation of the public. Young men of unusual independence and ability were consequently discouraged from attempting to obtain admission into the public service, and the Civil Service became a refuge for men who did not possess sufficient energy to carve out a career for themselves. The loss occasioned thereby to the service was very great. Besides having a bad effect on the service itself, the prevailing system had also a bad effect on the country at large,—on the Ministers, who exercised the patronage, and on members of Parliament who, in a small degree, assist Ministers in distributing patronage. It was possible to use this patronage as a means of influencing members by the Ministry of the day. Besides, a member might have so much patronage in his county, that the influence thus obtained was quite sufficient to carry the county; thereby a strong temptation was offered to members to support the Government, and obtain the patronage. If a member was already a supporter of the Government he might feel very unwilling to displease them in reference to any particular vote or measure lest he should have some difficulty in getting his next recommendation adopted. Besides this possibility, he did not say probality under existing circumstances—of corrupt influences being exercised, there was a temptation to the Government to create patronage which they might dispense for political objects for the purpose of assisting their friends. This was not altogether a theoretical evil. Hon. members had seen patronage exercised by the

Government of the day to assist their political friends. On a late occasion when a certain Government was supposed to be approaching the end of its existence there was a remarkable increase in the distribution of patronage. From a report presented to the House he found that between Oct. 22, 1873, and Nov. 7, between the time the House met and one or two days after the Government acknowledged themselves defeated, 147 appointments were made at annual salaries amounting in the aggregate to $65,000. Of those appointments a considerable number were made after Nov. 5, the day on which the Government resigned, and some of them, it was afterwards found, were made to places which had no existence,—to superintendentships of light-houses and similar positions when the light-house to which the party was appointed was not built. Whether that sudden and extensive distribution of patronage was caused by a desire to reward friends who had supported the Government, he did not know. It had, however, a suspicious look, and it was not a state of affairs that was creditable either to the Civil Service or to the Government. There was a temptation to create patronage for political purposes, and the Civil Service thus organized would ultimately become a political engine. It was quite possible for Civil Servants to perform certain duties to conciliate friends or oppose the wishes of opponents; it was quite possible for those employees to interfere at Parliamentary elections and influence some of the electors in the locality in which they resided. That, too, was not a theoretical evil, for complaints had already been made in Parliament of the interference of public servants at elections. There was a further danger to be apprehended on a change of a Government occurring. Those officials who had received prominent positions at the hands of the Government in power could not be expected to feel very cordial towards new comers. If they were honest men they would no doubt endeavor to serve the Government faithfully, but it was not always possible for men who do not feel in accord with their employers to serve them as if they respected them, or that men employed in important offices should feel cordially disposed towards the Ministers; and under existing circumstances it was possible for an out-going Government to fill up the public departments with their own friends and thwart a new Government in carrying out their measures. The natural conclusion arrived at by some people was that the public service should be changed with the change of Government. That principal had been carried to its logical conclusion in the United States. When the Civil Service of that country was as small as ours is, that system of changing the officers with the change of parties was not, however, in force. It was originally put in operation in the first year of General JACKSON'S administration, when he dismissed about 2,000 Civil Servants and replaced them with his own nominees. It might be urged that we are not in danger of such a system being adopted here, but the experience of the United States showed that we were in the same danger. When our Civil Service attains the same proportions as that of the United States in General JACKSON'S time there will be strong temptation for the party coming into power to sweep away the servants in the department, and to replace them with their own friends who would work cordially with them and give them great influence throughout the country. It showed that this danger was not altogether imaginary in Canada. He read a short extract from an influential Montreal newspaper *La Minerve* of the 30th July 1873. The writer, after justifying the formation of electton funds, proceeded to argue that since, under our system, public employes owed their positions to party influence, they might fairly be asked to contribute a part of their salary towards keeping their party in power. This was one of the most peculiarities in the American system, and its advocasy showed that there was a real danged of the introduction of that system amongst us.

It being six o'clock the SPEAKER left the chair.

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AFTER RECESS.

Mr. CASEY resumed his speech. He said he need hardly say anything against the introduction of the American system into this country. It was found that it tended to concentrate power in the hands of the Federal Government. In Canada the lines between the Dominion and Local Governments were not so clearly drawn as they should be, and the Federal Govern-

ment might, through their officials, exercise an undue influence on the Local Governments. In fact, there had been complaints in this direction already. The system led to an unequal distribution of patronage by the Government. It was only exercised in favor of supporters of the Government. It was impossible that every constituency could be represented by a Ministerialist, and it followed that certain sections of the country could have no share of the patronage. This was not a fair system. Every young man who was found fit for the service should be allowed a fair chance to enter it. It was unfair to the smaller Provinces because they were not only liable to obtain less than the share of patronage to which their population entitled them, but also to miss it altogether if all their representatives should be opposed to the Government. Under the competitive system the smaller Provinces would obtain as large a share as they were entitled to by the intelligence, ability and energy of their young men. He might quote the experience of the Civil Service Commissioners of England. Ireland was a comparatively small part of the British Empire, yet under the system of competitive examinations Ireland carried off a large per centage of the patronage in the departments—seventy per cent. in one of them. This was not wholly due to the superior intelligence of Irishmen, but partially, perhaps, to the fact that there were fewer avenues of occupation open for them in Ireland. It showed, however, that a small portion of a country had as fair a chance to share in the Government patronage as a large one. He had occupied the House at considerable length, showing the evil of the present system, and he would now touch on the remedy as set forth in a report submitted to the English House of Commons in 1854. After touching on the existing evils he proceeded to say:—"The general principle, then, which we advocate, is, that the public service should be carried on by the admission into its lower ranks of a carefully selected body of young men, who should be employed from the first upon work suited to their capacities and their education, and should be made constantly to feel that their promotion and future prospects depend entirely on the industry and ability with which they discharge their duties, that with average abilities and reasonable application they may look forward confidently to a certain provision for their lives; that with superior powers they may rationally hope to attain to the highest prizes in the service, while if they prove decidedly incompetent, or incurably indolent, they must expect to be removed from it. The first step towards carrying this principle into effect should be the establishment of a proper system of examination before appointment, which should be followed, as at present, by a short period of probation. We are of opinion that this examination should be in all cases a competing literary examination. This ought not to exclude careful previous inquiry into the age, health, and moral fitness of the candidates. Where character and bodily activity are chiefly required, more comparatively will depend upon the testimony of those to whom the candidate is well known; but the selection from among the candidates who have satisfied these preliminary inquiries should still be made by a competing examination. This may be so conducted as to test the intelligence, as well as the mere attainments of the candidates. We see no other mode by which (in the case of inferior no less than of superior officers) the double object can be obtained of selecting the fittest person, and of avoiding the evils of patronage." That was exactly the conclusion to which he wished to lead the House. The Government of the day were not prepared to adopt fully the system recommended, but they appointed in that year Civil Service Commissioners, and it was provided by Order in Council that no one should receive an appointment who did not obtain a certificate of qualification from these commissioners. In nearly all cases all that was required was that a candidate should pass an examination showing that he had ordinary intelligence and attainments. For a few departments the commissioners were allowed to institute limited competitive examinations, that is to say, a person possessing patronage was allowed to nominate two or three candidates for a vacancy, and the question of who should receive the appointment, was decided by competition among these nominees. This system continued for many years, though strongly objected to in the House. In 1850, 1856, 1862, and 1863 debates were held on this subject, and motions carried in favor of open com-

petition, as opposed to the system then in force. The limited system left the evils of the nomination system exactly as before, while a limited competition it was held retained the evils of the old system while relieving the Government of the responsibility under which they were previously supposed to rest. After 16 years' trial, in June, 1870, the Government were finally induced to take a further step in advance, and throw open nearly all the departments to competitive examinations. The examination was not, however, guarded from the introduction of improper practices. By the preliminary examination all who wished to compete had to pass an examination in the ordinary rules of arithmetic and geography and such common branches, and those only who succeeded in passing the preliminary examination were allowed to compete. They had, also, to produce satisfactory certificates as to morals, age and fitness for the duties which they would be required to discharge. The examinations were very varied, and took in a very wide range indeed. Owing to this fact the system had led to an unfortunate abuse. The examiners in counting by the marks, allowed marks to be made for a moderate efficiency on several subjects than thorough efficiency in one or two. This led to a system of cramming by which the candidates acquired scraps of information on all the subjects that were likely to be put on the paper, thereby obtaining a smattering instead of thorough knowledge in the branches in which they were likely to be examined. This was the main objection to the system. The examiners were not quite right in putting these varied questions on the paper, but should have attached more importance to proficiency in some special subjects than a smattering of knowledge on all. However, this is easily remedied. The United States also adopted the system in 1872, and since then a great many appointments have been made under it. It was somewhat different from the English system inasmuch as the central appointing power was allowed to choose among those reported fit for positions, while in Great Britain candidates coming out at the head of the list were allowed absolute choice among the vacancies. The question as to efficiency being secured by this system has been debated very considerably. It was urged that many were crammed, and, moreover, that although men were secured who were intellectually fitted for the work, it was difficult to obtain men who were physically fitted for it. This was an unfounded accusation. There was nothing in the Civil Service of this country demanding extraordinary physical powers, except, perhaps, in surveying. But even if physical qualifications were demanded, the fitness of the candidates in this respect could be easily tested. There was no reason why the educated men should be weaker than ignorant, when in fact experience went to show the opposite. Professor FAWCETT in the House of Commons quoted from the report of a doctor who had examined 500 appointments for the East India Service, showing that 292 were possessed of high physical qualifications, 152 only medium and 52 merely strong enough to pass the examination. Out of the 500 only four were rejected. He comes to the conclusion that physical strength is the rule among those intellectually fitted to pass the examinations, and the experience of universities supported this statement. In fact it required as much physical strength to pass through a course of education as any other ordeal. Then as to character. The commissioners should be held directly responsible for the moral character of the man recommended, and those who recommended them to the commissioners would be held responsible, for their recommendations would be placed on fyle and if their recommendations should turn out badly they would be held up to ridicule and blame. Professor FAWCETT had quoted a distinguished Cambridge professor who said that "no test of morals was so nearly perfect as the intellectual one." There would be no attempt to deny that the institution of such a scheme would raise the character of the service. If the entrance to the service were dependent upon competitive examination, upon a certain moral and intellectual talent it would be felt to be a recommendation, and would place the Civil Service pretty much upon the same footing as the open professions now were. It was considered something to be rather proud of for a young man to succeed in entering a legal or medical profession, entrance to which depended upon passing a certain examination, and moral character. If the system were in force it would have to be followed by the

abolition of political influence and after entering the service promotion would have to depend upon a man's application to his duties. He thought it would not be amiss to require an examination in some cases in regard to the duties of the particular service for which he might enter. He considered the examinations would be a stimulus to education throughout the country, and would thereby be of vast benefit to the country, even to those who did not intend entering the Civil Service. It was evident the new system would abolish the evils dependent upon the exercise of political patronage and would be a relief to the Government and a relief to the members of this House. No Government could have no interest in creating new offices when they could not fill them with their own supporters; and no member of the House would have any interest in approaching the Government to obtain nominations for his friends, or even to obtain entrance to these examinations when he knew their success depended entirely upon their own ability. It would also be much easier to maintain discipline in the service itself as a man could be easily dismissed should his qualifications not turn out what they were supposed. In this connection he would note an English Order in Council of 1870, that appointments should be made only for six months in the first instance, and unless a satisfactory report were made by the commissioners as to character and attainments the appointment was made null and void, and the appointment fell to the ground even if the commissioners failed to make a report at the end of the six months. It was rather unfortunate that this provision was afterwards cancelled, as it was considered to be perhaps too strict. The commissioners in their report for 1872, expressed great regret at the abolition of this provision as it would have afforded a thorough test as to the character of the employees, and would have furnished correct material as to the merits of the examination test. If introduced into this country, he thought some such provisions should be attached to it. The present system was unfair to constituencies represented by members of the Opposition, and unfair to the smaller Provinces, and must finally lead to the adoption of the corrupt and generally condemned American system. He thought the question was of sufficient importance to justify him in bringing it before the House.

Mr. PALMER was glad the matter had been brought before the House, not so much from a desire to discuss its general principles as to draw the attention of the House and the country to certain prominent evils in the working of the present system. Whether the suggestion of the hon. member for Elgin was adopted or not, he thought that the head officers in the different departments should be taken from men who had been trained in the department; that those who occupied lower places should be advanced to the more prominent positions as vacancies occurred, and that they should not have placed over them persons who were brought into the department for political or other reasons. In his own constituency there had been instances of flagrant wrong in the public services. It was exceedingly hard that young men who had served the Government and the country well could not receive the promotion they deserved, while others were placed over them for political reasons. Those evils he was satisfied were greater and more frequent the more distant they were from the centre of Government. They operated very much against the smaller, or rather the more distant Provinces because there, faithful and long service was not seen by the head of the department who must discriminate between the faithful and the negligent servant in the public service. He hoped to see rectified another principle that had been ignored. In the different Provinces public servants were doing exactly the same amount of work in the different departments, but were paid differently, and that too often was regulated by the size of the Province. The circumstances of Manitoba were somewhat different, but with reference to the old Provinces—Ontario, Quebec, New Brunswick, Nova Scotia, and Prince Edward Island—here the cost of living and the state of society was about the same. He could see no earthly reason why public servants of every description doing the same amount of service, and the same service should be paid the same amount of salary. He was not going to detain the House now to point out—as he could point out—a great inequality in the salaries of those officers, and he knew a

great many officers who felt themselves much aggrieved by this state of things.

Hon. Mr. MACKENZIE said he was sure they were all very much indebted to the hon. member for East Elgin for bringing the subject forward now for the first time discussed in the House, and for the information he has gathered from various sources. He quite admitted the validity of many of the arguments for the system he proposed to adopt. At the same time, while it bore many advantages, it was desirable that there should be some little time for hon. members and the public to become familiar with the system. He had made inquiries as to the working of the system in England, and from the answers it appeared that some maintained that it had worked admirably, but others stated it had been subject to very serious fluctuations of opinion as to its advantage one way or another. It was admitted that many passed an excellent examination and possessed an excellent education who otherwise were not very well qualified to fill public places; and that some who would not succeed in passing a very good examination upon the subjects that were made the test questions of efficiency, would, nevertheless, have made very good officers. There could be no exception to the hon. gentleman's arguments that it would relieve members and Ministers from a very serious responsibility, and a very heavy imcumbrance upon their time. There was nothing more painful than to be obliged to receive applications for office when there were so many more applications than offices, thus making it exceedingly disagreeable. Very often, in the keen competition of political allies pressing appoint ments there was a strong temptation to travel beyond the rule prescribed for getting the best men for the position that was vacant. There could be no doubt if the system advocated by the hon. gentleman were in force in this country it would be a very great relief to public men on both sides. The hon. gentleman had referred to the unfairness experienced by young men who were candidates in constituencies represented by hon. gentlemen in opposition to the Government of the day. It was quite true, and he had no doubt his hon. friend had experienced it for many long years. Still, so far as he was concerned, there was a law of compensation. There was no question that a Government long in power had filled places on the Civil Service with people of one political way of thinking, and that it made at least some inconvenience when a change of Government occurred. That our own Civil Service had suffered seriously from such causes, in the highest branches, he was not prepared to say. He thought this was a subject worthy of consideration, and he thought it would be brought up in time, with the view of some positive action, but in the meantime he thought it would be premature for the hon. gentleman to ask the House for a committee, as the question was now discussed for the first time. He trusted his hon. friend would not press the matter any further at the present moment.

Mr. CASEY accepted the suggestion, and said he would withdraw the motion, and bring it up next session, when he might be prepared to submit for consideration some detailed scheme to bring the system into actual adoption.

PROHIBITORY LIQUOR LAW.

Mr. ROSS, in rising to move the motion of which he had given notice, said that when he had the pleasure of addressing the House last session he called attention to the petitions presented from year to year—to the numerical strength of those petitions—the responsibility and influential position of many of those who appended their signatures to them—and argued from these facts that the moral and social force represented by those petitions demanded at the hands of the House some consideration— whether the intrinsic merits of the question to which the attention of the House was called, deserved that attention or not. He also endeavored to show that the ground taken by those petitioners was a true and legitimate one; that the charges which they made against the liquor traffic were real and not imaginary. He endeavored to prove, by statistics gathered with very considerable care from different sources that, as the petitioners alleged, the liquor traffic was responsible for a large proportion of the crime committed in this Dominion. He showed that while the population of Ontario increased one and a half per cent. per annum, crime increased in that Province at the rate of five per cent. per annum. He also showed that while in the United Provinces of Ontario

and Quebec, population increased at the rate of one per cent., crime increased eight and three-quarter per cent.; and that while the increase of crime in these two Provinces was eight and three-quarter per cent. per annum, by a strange coincidence the increase in the sale of intoxicating liquors was eight and one-half per cent. He also showed that the largest proportion of that increase came from amongst the temperate classes; that according to the reports of the Inspectors of Prisons and Asylums in Ontario the increase in commitments to our jails from among the temperate classes was only seven per cent., while among the intemperate classes it was thirty-three and one-third per cent., and among the drunks and disorderly forty-one and one-half per cent. These facts justifies him in the assertion that the charges made against the liquor traffic were real and not imaginary as he had already stated. But when he came to consider the remedies suggested by the petitioners, he felt obliged to ask the House to go further, and as chairman of the committee of last session to whom the petitions in favor of prohibition were referred he stated that it "would be expedient to take such steps as would, put the House in possession of full information as to the operation and results of the Prohibitory Liquor Laws in those States of the American Union where they are or have been enforced with a view to show their probable working and effect if introduced into Canada." The House very kindly assented to this demand, and accordingly during the recess a commission was appointed by the Government, That commission consisted of two gentlemen—the one a barrister, of large experience and good position at the bar, a man in whose report the country could have the fullest confidence. The other commissioner was a Minister of very good position who had interested himself in the temperance movement in this and the Old Country, and whose impartiality could not be doubted. These commissioners were instructed to "visit the States of the neighboring Union in which prohibitory laws are or have been enforced, and to make inquiries as to the success of such a law and report thereon as well as in reference to other essential facts connected with the subject." The commissioners set out on their mission on the 25th August, and in the prosecution of their inquiries visited the following States: Maine, Massachusetts, Rhode Island, Vermont, Michigan and Ohio. They came in contact and obtained interviews with Governors, ex-Governors, Secretaries of State, Clergymen, Officers of the Army, Senators, Members of Congress, Judges of the Supreme, Superior and Police Courts, District Attorneys, Jailers, and others, and in the report which they have presented, which is a very able document they have not given this House their own opinions or their own convictions in regard to the success or failure of prohibition, but they have given evidence collected from statements taken down *verbatim* of men of good standing in the United States —of men whose social and official positions give us the utmost confidence in their opinions on this very important subject. What then does the report of this commission prove? In the first place he would say that this commission fully sustains the position he had the honor of taking in regard to the liquor traffic last session, which was this—that where the license system is contrasted with the working of the Prohibitory Liquor Law, it is invariably shown that the liquor traffic and crime if not identical are quite inseparable from each other. It has been found invariably that the effect of the license system as contrasted with the operations of a Prohibitory Liquor Law is disastrous to the moral and social condition of society. He might state that the opportunities of the commision for testing these comparisons were exceedingly favorable. In the first place they were able to contrast the license system in Maine as compared with the prohibitory system. The statistics in regard to Maine embodied in the report contrasts the operation of the license system in that State with the operation of the prohibitory system immediately on prohibition being enacted. He begged to give a few statements from the commisioners' reports: The number of commitments to the County Gaol of Cumberland County, Maine, was, from June 1, 1850, to March 20, 1851, nine months previous to the enactment of the prohibitory law, 279, while from June 1, 1851, to March 20, 1852, nine months subsequent to the enactment of the prohibitory law, the number was 63, deducting liquor sellers committed under the law. There were in

the County Gaol on March 20, 1851, before the passage of the Maine Law, 25, while at the same period in 1852, after the passage of the law, there were only 4 prisoners. Here was a statement of the commitments to the Portland Almshouse under both systems: In June, July and August, 1850, the number was 25, while in the corresponding months of 1851 the number was 8, showing that under the prohibitory law the number of commitments was only one-third of those occurring under a license system. To give a bird's-eye view of the whole situation he would cite the following statistics—that the average commitments in Maine was under the license system 60½, while under the prohibitory system it amounted to only 38½. He would now pass to other States where prohibitory laws had been in operation and see how they compared with Maine. The Prohibitory law was enacted in Massachusetts in 1854, but a reaction of public sentiment setting in, it was repealed in November, 1867. But shortly afterwards the Prohibitory Liquor Law was again re-enacted. The chaplain of the State regrets—"that he is compelled to say that the prison has never been so full as it is at the present time, or rather, so full through the year; and he feels that there is no hope of any diminution of numbers while rum shops are found at every corner, and in many of our streets at every other house." The chaplain went on further to show that commitments to the State Prison during eight months of 1867 under prohibition was 65, while during eight months in 1868 under the license system the number was 136. Governor CLAFLIN in his address to the Legislature in January, 1869, says:—

"The increase of drunkenness and crime during the last six months as compared with the same period in 1867 is very marked and decisive as to the operation of the law. The State prison, jails, and houses of correction, are being rapidly filled, and will soon require enlarged accommodation if the commitments continue to increase as they have since the present law went into force."

The Chief of the Police of the city of Boston stated that the number of commitments during the last quarter of 1867 when the prohibitory law was in force amounted to 4,147. During the last quarter of 1868, when the license system was in force, when the prohibitory law had been repealed, commitments were 13,213, or an increase of 300 per cent. A statement of the number of commitments to all the jails of the State gives the following result:—In 1867, under prohibition, 5,770; in 1870, under license, 7,850. He might also give figures that would show that in all the States—in Maine, Massachusetts, Vermont, Rhode Island—in every case where the prohibitory law had been repealed, there was a rapid increase in the number of commitments to the jails, and the police officers and wardens found their labors very much increased by an enlarged criminal calendar. While his (Mr. Ross') position on that question was fully sustained, the object of the commission was not to show that crime and the drink traffic were closely allied, but to find out whether the remedy he was about to propose, and to which many people were now anxiously looking, would be effectual and satisfactory—that is to say, whether a prohibitory law of such a character as that proposed, had been so successful as would justify the House in placing upon the statute book of this Dominion a law similar in its provisions to that which had produced such beneficial results in the neighbouring states of the Union. It appeared from the report of the commission that only in one single instance had a prohibitory law worked unsatisfactory, and even in that instance it was doubtful whether the law itself was at fault. In Michigan there was a prohibitory law on the statute book, but it had never been put into operation. But the evidence of all those interviewed by the commissioners—and the evidence was gathered from the most authentic sources—proved beyond question that prohibitory laws in the United States, where tried, had been productive of so much good, and had met with such success, as to justify this House in passing a measure for at least a trial of the law in this Dominion. He was aware that in some cases certain fluctuations in public opinion seemed to give currency to the idea that prohibitory laws had been a failure. In Maine where the law had met with general success, it was in 1856 repealed. But what followed? The damaging effect upon the morals of that State, which resulted from the license system, so excited public indignation against that system,

that the Legislature immediately submitted the law again to the popular vote, and the consequence was that the prohibitory liquor law was re-enacted by a vote of 28,000 against 5,000; and ever since a prohibitory law has continued on the statute book of the State of Maine. We need not wonder that these fluctuations in public opinion should sometimes occur. Prohibitory laws strike at the social customs of society, and there are large pecuniary interests at stake. The customs of society are such that when they are attacked by the strong arm of the law; those whose interest it is to perpetuate the license system sometimes combine and overcome those whe are battling for the improvement of society. In the United States the great difficulty lay in the fact that all the executive officers—magistrates constables and others—were elected, and the consequence was that these officers, depending on the popular vote were apt to pander to popular prejudices. In our case, happily, this difficulty does not exist. Notwithstanding these fluctuations in public opinion, what is the result in the United States? The Governor of the State of Maine reports:—"The present law where it is enforced, is, so far as I can judge, as effective in the suppression of the traffic as are other criminal laws against the crimes they are intended to prevent. In the majority of our counties the law appears to be well executed with very favorable results." He (Mr. Ross) was aware that there were people in this House who claimed that the Maine law was a failure and that any one could go into the hotels of that State and indulge in intoxicating liquors to their heart's content. Against such statement, they had this evidence of Governor PELHAM that that law had been very successful. In 1870, Governor CHAMBERLAIN, of the same State said:—"The laws against intoxicating liquors are as well executed and obeyed as the laws against profanity, unchastity and murder." Would the argument used against prohibition be used against the laws against profanity, unchastity or murder? All such laws must be tested by what they can accomplish. Hon. GEORGE G. STACY, (Secretary of State said:—"I have known the city of Augusta fifteen years; there were then open bars, but now not one, and the law has been a success, though of course selling is not entirely suppressed. The effect of the law has been to largely reduce crime, especially that class of crime such as gambling, fighting, &c. It is a rare sight to see a drunken man in the streets." And the Honorable WOODBURY DAVIS reports:—"Notwithstanding the unfaithfulness or timidity of temperance men, the difficulties of enforcing the law, the inadequacy of its penalties, and the effect of the war in retarding its execution, I am convinced by what I have seen, that it has accomplished an incalculable amount of good. Of our four hundred cities and towns, making the estimates below what I believe the facts would justify, I am satisfied that in more than one hundred the law prevents any sale of liquor whatever for a beverage." He asked the House to place the evidence of such men as these, men who occupied high positions in Maine, against the reports clandestinely circulated in regard to the drinking usages which are said to exist in that State. In Massachussetts, Governor TALBOT says:—"The law has now accomplished all that its friends hoped it would. In country places it has been enforced, and with great effect; in large places, though not rigidly enforced, it has exercised considerable influence and kept the evil in check; and it is an immense check in large cities, for it prevents the legal recognition and makes the traffic disreputable. I think public opinion is steadily advancing in favor of prohibition. I believe the liquor law is enforced over three-fourths of the State; it is partially enforced everywhere, and with good effect in the former districts, and exercises considerable restraint in the latter." He had several more extracts which he would not weary the House with reading, but the sum of all this evidence went to show that although there were occasional violations of the law although there was secret traffic in some of the large cities, perhaps in all of them, although the law was not carried out to the letter, yet the effect of it had been largely to diminish crime and to justify us in trying the experiment in the Dominion of Canada. He was told by those who were opposed to prohibition that a well regulated license system would be more beneficial than a prohibitory liquor law. Every one knew the result of the license system in Canada. The object was to repress the evils of intemperance, all the restrictive enactments

on our statute books were placed there with this design and what had been the result. We were bound to admit that the crime was on the increase—that our jails were filled with victims of the liquor traffic and that the system had resulted in failure. When this House was asked to pass a prohibitory liquor law it was asked to adopt a system which had proved more successful than the license system had ever been found to be—a system that decreased crime 50 per cent and in some places 75 per cent. where it had been tried. The House was asked to exchange a certainty for an uncertainty and proof of the benefits of the prohibitory system was shown by the duty on spirits and fermented liquors payable by the people of the various States in the neighbouring Union. There was evidence in the statistics of the United States Internal Revenue Department for the years 1873-4—that in Connecticut the amount of duty per head was 62 cents, in Indiana $2.70, in Kentucky $3.89, in New York, which might be taken as an average $1.42. This is a statement of duty paid by cities in which the license system prevailed. In contrast with this we find the duty paid by Maine was 8 cents per head, in Vermont 5 cents per head. Would any one say with such facts as these before them that the prohibitory liquor law was a failure. If there were no other evidence than this he would be justified in saying that it was not—that it not only reduced crime to a great extent but the traffic and use of intoxicating liquors, thus contributing to the aggregate wealth of the various States. He asked the House to consider the alternative which was being forced upon it by the petitions presented here from time to time. This House must either go on continuing the present license system or turn to some other quarter for the remedy of the evils so constantly complained of. It was objected that the loss of revenue would be so great that we could not adopt the prohibitory system. He did not believe that the revenue of Canada depended upon the capacity of our people to consume intoxicating liquors. He believed it to be dependent upon the industry, thrift and frugality of the people. If by any system the industry and productiveness of the people of this country were destroyed the only true source of revenue upon which the Finance Minister could depend for his annual revenue would be attacked. But was there any danger of loss of revenue from this source. A few years ago a deputation of liquor sellers waited upon Mr. GLADSTONE when he was Chancellor of the Exchequer and remonstrated against temperance men passing a permissive Bill. They said this loss of revenue would never do. What did W. E. GLADSTONE say? He said "you may talk about the revenue and about the traffic and usages of society as you please, but give me 30 millions of sober people in England and I am not afraid for the revenue of the Public Works in the British Empire." What did Sir STAFFORD NORTHCOTE say in his Budget speech last year? he said :—

"If the reduction of the revenue from spirits be due to a material and considerable change in the habits of the people and to increasing habits of temperance and abstinence from the use of ardent spirits, I venture to say that the amount of wealth such a change would bring to the nation would utterly throw into the shade the amount of revenue that is now derived from the spirit duty, and we should not only see with satisfaction a diminution of the revenue from such a course but we should find in various ways that the exchequer would not suffer from the losses which it might suffer in that direction."

Here we had the statements of two English financiers that though a temporary disarrangement of the revenue might result from prohibition, in the end the increase in the thrift and wealth of the people would compensate for the loss; and he would say now to the hon. Minister of Finance, and those who oppose a Prohibitory Liquor Law, that he had not only the consciousness that there would be an enlarged revenue from increased industry, but the assurance, of the very best authorities that the loss to the revenue would not be felt. We had evidence from the Maine Liquor Law that the result was beneficial in that State. In Portland, where it was only partially enforced, there was a diminution of crime. Did we fear a reduction of crime from the enforcement of the law in this country? General DYER, of Bangor, said it was the best law they ever had—that it materially improved the moral and social condition of the people, as it reduced crime and poverty. Would the reduction of crime and poverty be any-

thing to fear in this country? Mayor BLAKE, of Bangor, said it had driven the liquor trade into the lowest quarters, and into the hands of the most disreputable classes. Would such a result be dreaded in Canada? He (Mr. Ross) for one took the ground that inasmuch as this evidence went to show that the passage of a prohibitory law had a most beneficial effect upon the social and moral condition of society, there was nothing to fear from its adoption in Canada; that all the best interests of the country would be materially benefitted thereby, whatever the loss might be to the finances of the country it would be a thousand-fold compensated for by increased industrial productions and the elevated moral *status*, which this country would enjoy under the new and better system. It might be objected that this system was an innovation, but so far as the Dominion was concerned the principle had long been recognized. We had prohibitory laws applied to Indians. That was individual prohibition. The sale of liquors was prohibited between seven o'clock on Saturday night and six o'clock on Monday morning. That was prohibition as to time. The First Minister, in his Bill for organizing a Government in the North-West Territory, had introduced this principle. There was prohibition as to place. When a prohibitory law was asked for in this House it was merely proposed to extend to the civilized and settled parts of this Dominion, the system which the First Minister was about to apply to the new colony in the North West. What would be beneficial there ought surely to be beneficial here. And now in summing up the whole matter, he would ask the House to consider this question carefully. He had shown that there was a very extensive and increasing demand in this country for a prohibitory liquor law, and petitions from time to time presented to this House amply sustained this position. He had shown there was a necessity for some remedy for the evils of intemperance. He had shown that the license system did not afford that protection to society which we had a right to expect. He had shown that it did not prevent the increase of crime; and on the other hand that prohibition had not been a failure where it had been tried. It was our bounden duty manfully to consider the situation, and fearlessly to meet the exigencies of the case, not shrinking from the difficulties connected with it,—which he admitted were very great—or from the opposition which might be expected to a law of this kind—or from the obstacles in the nature of vested rights—but to grapple with them, as a Government of a free country like this should grapple with a matter of such vital importance affecting the industrial and social interest of the whole country. We had already during this session grappled with many difficulties—the Amnesty Question, New Brunswick School Law, and others. We had grappled with difficulties at the inception of Confederation. It was the privilege, and should be the pride, of our Governments to grapple with difficulties whenever they occur; and he hoped that this House would patiently and calmly, as was their wont, look at the surrounding circumstances of this question—the evils that are being inflicted upon the country, and ask themselves whether the time had not even now come when we should provide such a remedy as was suggested, and place on the statute book of this country a law, which should represent the moral sense of this Dominion, so far as legislation could do so, regarding the evils of intemperance. This was a question which rose above party, and was closely identified with every interest in the Dominion. He hoped hon. members on both sides of the House would be equal to the exigencies of the occasion, and be prepared to adopt these resolutions. He might warn them that if they were not prepared now, the time would come when they must be prepared. We were already on the advancing tidal wave of a fast growing public opinion. The people were begining to realize the magnitude of the evils of intemperance, and this House should be in a position to meet the wishes of the country by providing a solution of the difficulty. The amendments to his resolutions which he would propose, if the House affirmed the principle of prohibition by going into Committee, would meet the present exigency of the question, and would, he trusted, command the approbation of the House, as he had no doubt they would command the hearty approval of all right thinking men in the country.

Mr. BUNSTER said it really snrprised him to see such a baby resolution brought into this House, when we had the highest authority not only in this House but outside of it, that such a thing was in the

first place unconstitutional. He would like to give some information as to what HER MAJESTY said in the Speech from the Throne in the Parliament of England. He quoted from the *Saturday Review*:—"Against a diminishing trade there is to be set an excellent harvest, and in one way or other there has been a steady increase in the consumption of all the necessaries of life, and of 'articles which contribute to the revenue,'"—as beer, spirits and tobacco are styled in a pleasing paraphrase, suited to Royal lips. That was what was said of beer and spirits. He would much rather see the hon. member for West Middlesex take a bold, manly stand and ask this House to pass a prohibitory law at once, so that the House would know what they were voting for. The hon. gentleman came with a half measure and asked for the opinion of this House, instead of meeting the question fairly as he (Mr. BUNSTER) did when he asked the House to open the saloon of this House. The hon. gentleman said nothing about Canada; it was all about the United States. He (Mr. BUNSTER) claimed that Canadians knew how to legislate for themselves as well as the people of Maine. The hon. gentleman was careful not to say what the Governor of Massachusetts stated on this subject—that crime was on the increase ever since the passage of the prohibitory liquor law. Michigan had passed a prohibition act, and it was a dead letter. The people would not have it. The hon. Premier had drawn a comparison between the people of the settled Provinces and the savages of the North-West, which was not at all complimentary to the former. The hon. gentleman would treat civilized men like Indians, and keep liquor from them. Now he (Mr. BUNSTER) was of opinion that intelligent Indians should be allowed to drink at public bars and pay for their liquor like white men. The Premier had been good enough to say that if prohibition succeeded with the Indians he would try it on the whites. If that day should come he would, as a British subject, go to some country where he could get his natural beverage. The hon. gentleman did not seem to give a moment's consideration to the fact that this Act would be unconstitutional. He (Mr. BUNSTER) had been informed by high legal authorities that the prohibition laws of Maine and Massachusetts had never been carried to Washington, and that if they had been they would have been pronounced unconstitutional. If such a law were brought before the Supreme Court of any of our Provinces it would not be allowed. Did the hon. member for Middlesex make any allowance for vested rights? Did he come forward in an honest, manly way and state that he would be prepared to move that every person engaged in the trade should be indemnified for the loss this Act would entail on him. The hon. gentleman would do as an officer in the North-West had done—knock 44 barrels of liquor on the head. He (Mr. BUNSTER) looked upon 44 barrels of liquor as being just as valuable as 44 barrels of flour, and if the officer who destroyed that liquor were treated in a proper way he would be prosecuted. The hon. gentleman spoke of the license system as a great check on intemperance. It was nothing of the kind. It was simply a mode of contributing to the revenues of the different municipalities. He would like to test the sincerity of these temperance men. Would any of them refuse to sell grain to a brewery if they could get a cent more per bushel for it? The dollar was what they were looking after. He was astonished that the hon. member for Middlesex should take up the time of the House with this discussion when they had the statement of the Finance Minister that the revenue would not be sufficient without this source. How much more would it take to compensate those who were engaged in the trade? In view of these facts and the large enterprises in which we were about to engage, we could not do without the revenue from the liquor traffic. He challenged any temperance man, or any pretended temperance man, to come straight before the House and see what support he would get from the people of Canada. There was a great difference between temperance and intemperance. Sir STAFFORD NORTHCOTE never said he was in favor of a prohibitory liquor law. The British people would never consent to it. They were too much in favor of the national British beverage. Every Englishman liked his glass of ale and was none the worse for it. The hon. member for Middlesex said nothing in favor of liquor. He did not mention the fact that our Saviour changed water into wine. The hon. member had

presented only one side of the subject to the House. If he (Mr. BUNSTER) had time enough, he would make the hon. gentleman shrink through the key-hole of this Chamber, but he would content himself with leaving this question to be dealt with by the sensible men of this House as it deserved.

Mr. MACKENZIE (Montreal) said the hon. member for West Middlesex wished this House to commit itself to the principle that not only the manufacture but the sale of all spirituous liquors should be prevented. He (Mr. MACKENZIE) objected to this decidedly. His belief was that prohibition was a quack remedy for the greatest evil that existed in this world. When he said it was a quack remedy he had no desire to be disrespectful to his prohibition friends. This was an age of quack remedies. We found good and otherwise decent people flying to quack remedies of all kinds. Everybody could recall to his own mind how good people would go to quack doctors as regards diseases of their bodies. We have quack religions of all kinds, and, in finance, the hon. Finance Minister of this House would say there were not wanting charlatans in that science. It seemed to him (Mr. MACKENZIE) that this attempt to prohibit the sale of liquor was like Mrs. Partington's attempt to keep back the ocean with a broom. He contended that this motion was based on no statistics of any reliability whatever. It was based on the report of two commissioners who only went to the States to enquire into the working of the system there. One of the commissioners was a total abstainer, and therefore a prejudiced party, and the other he knew nothing of. The statistics were gathered in a one-sided way from one-sided parties. The commissioners made the following candid confession at the commencement of their report:—

"Your commissioners endeavored to gather as many statistics bearing on the inquiry as possible, but experienced great difficulty in that branch of the enquiry, inasmuch as many of the cities, more particularly, Portland, Bangor, Agusta and Boston, had suffered from fires that had to a very great extent, destroyed their public records. Your commissioners also found that the frequent changes of the office-holders under the American system of Government, is not favorable to the preservation of statistical information. These causes largely contributed to increase the labors of your commissioners, by compelling a search for records in the hands of private individuals; and with a few exceptions, prevented their going back, as they would have desired, to a period anterior to the passage of the prohibitory law."

He contended that the information was derived by prejudiced individuals from one sided parties in only two States of the neighboring Union—Maine and Massachusetts. Such information was not such as would serve revolutionary resolutions upon. Another fact cropped out in this report from beginning to end—while prohibition worked well in the rural districts, it did not give satisfaction in the cities. He might state as a fact that within a few miles of Portland there was a place of resort not only for Americans but for Canadians, where the landlord admitted that only for the bar he could not keep his hotel open. He was informed that the increased use of opium in the States where prohibition was in force was alarming. It must be remembered also that this House was not dealing with a people among whom Puritain influences lingered as in Maine and Massachusetts. It must be remembered that the Canadian people partook more of the British character, and any one who would reflect on the difficulty that would be experienced in England of getting even such an Act as Judge DUNKIN'S passed, would recognize the fact that what might do for Puritains would not suit us. On this ground he decidedly objected to this resolution. But the hon. member for Middlesex proposed to go even further than those Puritans in the United States. Not content with preventing the sale of liquors, he wished to prohibit the use in private houses of even the lightest wines. It was absurb and monstrous to ask this House to go further than the Legislatures of Maine and Massachusetts had gone, when it could not be shown that even partial prohibition in those States had been successful. He (Mr. MACKENZIE) was aware that a large number of members of this House, from good nature or other causes on which he would not dilate, were disposed to support this Bill. Some of them said: "Oh, we will support a prohibitory liquor law because we know it will be a failure. We know it is a farce and

we'll give it a trial." This was a most ridiculous view of the situation. It was bad in every sense of the word to put on the records of this Parliament an Act which would be violated every day by the best men in the country. The practical effect of it would be a failure, but in the meantime we would be forcing the good people of this country to commit perjury. The fact was, the advocates of prohibition had written a new gospel, the first doctrine of which was, "you must be a total abstainer; it is only of secondary importance that you should be a Christian." They had added an eleventh commandment to the decalogue, which was, "you shall drink only what I believe you should." If this law should be enacted, we would next see legislation asked for to compel our sisters and wives to wear only particular kinds of dresses, to restrict our literature and abolish the drama. If we were to be deprived of the wine which was used at the marriage in Cana of Galilee, no doubt these Puritans would go further and abolish marriage also. Then, when all pleasure was at an end, and we were handed over to a moral gloom and despair, we would feel that chaos had come again, and those of us who were left on this desolate planet could only hope there would be some pleasure left for us in future spheres where there would be no prohibitory liquor law.

Mr. SMITH (Peel) said that in the history of Canada many important questions have engrossed the attention of the people and Legislature of the country. Responsible Government, municipal institutions, seigniorial tenure, clergy reserves, Confederation and many other questions of more or less importance. But perhaps in no single question had the people generally evinced so deep an interest as the one now before the House. It is not a party question; it is not one affecting a portion of the community; but a question that deeply interests every man, woman and child in this broad Dominion. The time was when a greater diversity of opinion existed on this subject than at present. Judges, jurors and ministers of the Gospel were not wanting to stand up and defend the drinking usages of the day. But now, from the Bench, the Bar and the Pulpit—and, I am happy to say, a good portion of the Press—but one voice is heard, that spirituous liquors are filling our jails, our asylums and houses of refuge, sending poverty and misery to many otherwise happy homes. He was not one of those who thought that the drinking usages of the present day were worse than those of former times; nay, he thought it otherwise. Glancing for a moment at other countries in days gone by, some of them present a sad picture. If they turned to England, from the reign of Edward VI. to James II, drunkenness appears to have been the rule rather than the exception. It was during this period that the people thought to stem the torrent of drunkenness by restricting sale to licensed houses, and about that time the first license was granted for the sale of spirituous liquors. But, contrary to all expectations, this had the effect of increasing rather than diminishing the traffic. MACAULAY computes the population of England at a little over 5,000,000, and about the same time almost 150,000,000 gallons of beer were annually made, thus giving for consumption to each man, woman and child in the kingdom the large quantity of 30 gallons. Drunkenness appears to have reached its height in the reign of ELIZABETH. The historian tells us that at a sumptous feast given to that sovereign by one of her wealthy subjects, 365 hogsheads of beer besides large quantities of other liquors were consumed. At a later period, in the year 1725, there were, in the city of London alone, 7,000 houses for the sale, of intoxicating drink, and the population at the time would number about three-fourths of a million. Thus giving to each 100 of the inhabitants, a drinking house. Over 40 years ago, there were 49,000 licenses granted in England for the manufacture and sale of fermented liquors. In the reign of GEORGE II drunkenness was so common, that a prominent member of the House of Commons, stated that on his "way to the House, he saw persons lying about in every direction hopelessly drunk." Even the sign boards hung out by the publican of those days were indications of the prevailing customs of the times. The inscription on one of those signs, is handed down to us as follows :—"Here you may get drunk for a penny—dead drunk for two pence, and clean straw for nothing." Who was not familiar with the excesses of some of the best mean of those times? The drinking haunts of those bright stars, at their club meetings, and social gatherings. Such as FOX, BURKE, GARRICK, GOLDSMITH, JOHNSTON, and others, and in that

graphic description of one of those drunken revels given by OLIVER GOLDSMITH in his admirable poem entitled "Retaliation," where occurs the following lines :—

"Here waiter more wine, I'll drink while I'm able,
Till all my companions are under the table."

If they turned to Scotland and Ireland they meet with the same state of things in almost every particular. It is said that Edinburgh and Dublin, were quite equal to London, in the number of their drinking dens, and in the wild riot and dreadful consequences that follows the free use of alcohol. It had been argued by some, that in no place in the world had drunkenness prevailed to such an alarming extent as in England, while some Scotch writers declare, that there is more liquor drank in Scotland—in proportions to numbers than any other place in the world. Others again claim the palm for Ireland. The warm-hearted son of the green Isle, whether in the domestic circle, attending a good first wake, or acting a prominent part at Donnybrook fair, the black bottle, or brown jug, was his indispensible companion, and the effects only too apparent, in the marks of respect—not to say affection—in the gentle taps of the shillelah extended to those whom he most esteemed. The undemonstrative Scot takes things more easily, as exhibited in one of the past prevailing customs of the country, called "*drinking bouts.*" A number of people collected together, and after seating themselves in a circle, liquor was served round by waiters, each one getting a measured allowance. This was continued till one after another they tumbled over, when two men with a wheelbarrow stationed at the door, assisted them into the one-wheeled carriage, conveyed them away, and dumped them into a corner to sober off. Great as were the extremes to which the immoderate use of intoxicating drinks was carried in the British Isles, and still is, in the opinion of some writers —for a time at least—the United States far outstripped them. In 1810, the value of liquor manufactured in that country was estimated at 16½ million dollars. Eight years later, the returns showed that 15,000 distilleries were in active operation. In 1790, 3,700,000 gallons were imported ; seventeen years later, this large quantity had increased to 10,000,000. The population of those States at the time referred to would probably not exceed 12,000,000 or 15,000,000. As early as 1822, what was then known as the Western States, with a sparse population, exported 7,500 barrels of whiskey, and 3,000 barrels of porter, valued at $500,000. But, sir, let us take a glance nearer home. I am not in possession of statistics to show the quantity of liquor drank in this country in former years. But we do know something of the drinking usages that prevailed, and the lamentable consequences that followed the too free use of the poison. At logging bees, raisings, quilting bees, births, marriages, dances, deaths and funerals, all alike whiskey was indispensable. But perhaps on no occasions were the disastrous effects of this curse of our race so clearly seen as at annual trainings and township meetings. On such occasions whiskey flowed in abundance. Old spites, personal or family feuds, or imaginary insults had to be settled. Brute force was generally resorted to, and in not a few instances valuable lives sacrificed to the fury of men maddened by strong drink. The report of the Minister of Inland Revenue of the past year informs us that for the twelve months 5,500,000 gallons of whiskey were manufactured. In addition to this the large quantity, over 11,000,000 gallons of beer was made, making in all 16,500,000 gallons ; or in round numbers 42 gallons to each man, woman and child in the Dominion. For the manufacture of this large quantity of liquor, 4,000,000 bushels of grain were consumed, a quantity that would furnish bread for nearly one-fifth of the inhabitants of the Dominion, and would at least be ample to supply every prison, asylum and benevolent institution in the country, besides leaving a surplus that would be sufficient to supply the wants of all the really destitute poor in the country. He regretted to find that most of the distilleries reported were in the Province of Ontario. In the town of Windsor, three distilleries produce an aggregate of over 2,100,000 gallons. But perhaps one of the largest establishments of the kind on this continent was in the city of Toronto. The annual production of that establishment amounts to an average of over 2,250,000 gallons, being nearly one-half of the entire production of the Dominion. What portion of this was exported, or what quantity was

consumed in the country he had no means of knowing. In addition to the immense quantity thus manufactured, there was imported, and entered for home consumption in 1873, the following liquors :—Brandy, 555,039 gals. ; Gin, 610,095 gals. Rum, 243,889 gals. ; Whiskey, 172,038 gals. ; other strong waters 2,000 gals. ; —total, 1,583,061 gals. In order to insure the proper distribution of this large quantity of intoxicating drink, and place it within the reach of every man, woman and child, as well in the remotest districts of the backwoods settlements, as the frontier towns and cities, we have licensed 6,232 taverns. Some of these returns are taken from the census reports of 1871, and have very much increased since. Taking the population of that time, which was under three and a-half millions, would give one tavern to each 561 of the inhabitants. The same average does not prevail in all the Provinces. As Ontario takes the lead in manufacture, so it occupies the first place in the retail. While it contains less than one-half the population of the four great Provinces, it supports two-thirds of the taverns. The following table showed the number as compared with the population in each Province respectively :—Number of hotels in Ontario, 4,124, or 1 to about 400 inhabitants ; Quebec, 1,313, or 1 to about 880 inhabitants ; Nova Scotia, 372, or 1 to about 1,037 inhabitants ; New Brunswick, 423, or 1 to about 675 inhabitants ;—total 6,232. In 1871 there were in the Dominion 2,807 groceries. It was not too much to say that at least one-half of these sold liquor, that with other shops licensed, they would make the number at least 2,000. These are in addition to the taverns already mentioned. The amount of human suffering and woe caused by the consumption of so large a quantity of liquor, no tongue could tell or pen portray. Fortunes squandered, health and character ruined, honourable positions lost, ending too frequently in death as a criminal, or by suicide. The united testimony of Police Magistrates, Sheriffs, Jailors and Judges, all went to show that the great bulk of crime committed in our land was mainly attributable to the free use of this enemy of man. The united voice of ministers of the Gospel of every denomination—the wail of the distressed wife, the mother, and sister—rose from all parts of the land too audible not to be heard, and too strong, to be disregarded. The request of 40,000 in 1873, and 133,000 persons as expressed in petitions, presented to this House at last session, is too important to be overlooked or lightly treated. They might inquire what had been done, or what could be done, to meet this crying evil. The license system had been tried for more than 300 years, and proved a failure. He was not one of those who thought that it had proved the means of encouraging drunkenness. He thought otherwise, and was of opinion that in some measure it had proved a check to the torrent of drunkeness that might have otherwise deluged our land. This check, he was convinced, was mainly traceable to the united efforts of temperance people, through their temperanee organizations, lectures, and the firm stand taken by ministers of the Gospel. The first account that they had of any united attempt being made to meet the emergency was in the year 1600. A temperance society was formed. The pledge, however was not very strict. The members were restricted to seven glasses at a time, and that to be repeated but once in the day. Other societies of a similar kind soon followed, but it would be observed that the efforts put forth in this direction were intended to restrict rather than prohibit the too free use of ardent spirits. And no very serious objection, I fancy, would be raised to those societies when fourteen glasses a day were allowed. Coming down to the year 1804, public attention was roused on both sides of the Atlantic to the growing evils of intemperance, and active steps were taken to stop its ravages. In 1808 we have the account of a society formed in the State of New York, which had among others the following rules :—"No member shall drink rum, gin, whiskey wine, or any distilled spirits or compositions of the same, or any of them, except on the advice of a physician, or in case of actual disease (also excepting public dinners), under a penalty of 25 cents. No member shall be intoxicated under a penalty of 50 cents. No member shall offer any of said liquor to any other person under a penalty of 25 cents." It will be seen, Sir, that these restrictions were not very formidable. That any person desirous of going on a bender 50 cents fine was no great obstacle in the way.

During the past forty years immense efforts have been put forth by private enterprise to stop this crying evil. Many noble men have spent their time, their talents and their means in the laudable effort to stem the onward progress of this terrible scourge. Temperance societies and lecturers have done an incalculable amount of good. Father MATTHEW in Ireland, JOHN B. GOUGH in America, and CHALMERS and GUTHRIE in Scotland, besides a regiment of worthy men of less note, who all have contributed to this noble work. In 1862 there were in the British Isles 4,000 Temperance societies, with a membership of 3,000.000. They employed 40 paid lecturers, and supported three weekly papers devoted to the cause of temperance. These, with the *British Workman, Band of Hope Review*, and a few other papers of a similar kind, had an agregate circulation of 600,000 copies. Sermons and lectures innumerable have been delivered on this all-important subject. In the United States even greater efforts have been put forth. To that country is due the credit of making the first determined effort to prohibit by legal enactments the manufacture and sale of strong drink. And although that effort has not been crowned with that degree of success that many good people could desire —yet enongh has been accomplished to show, that such a measure is practicable, and that it has been, and will be supported by the people. Five States of the Union have adopted prohibitory liquer laws, and although they have not been able to completely drive out the enemy, yet it is under such complete control, that the injury done is comparatively trifling. Canada has doubtless done her part. Her Ministers of the Gospel have given no uncertain sound—magistrates and judges have lent their aid in the right direction —Temperance lecturers, and societies have done a great work. The Press has lent invaluable assistance. But all this work has not been carried on without the expenditure of a large amount of means. And these means have been contributed from the pockets of private individuals while the public has been reaping a large revenue from the traffic in the waters of death—is this right? All right-thinking men answer no. We have in our country some five or six papers ably conducted, and devoted to the cause of temperance. Besides, Sir, nearly every sect in the Dominion has its organ, and they are not backward in raising a standard against the prevailing drunkenness of the day. Of such is the *Church Herald, Home Journal, British American Presbyterian, The Baptist, Christian Guardian*, and a number of others. But, perhaps foremost in the ranks of this list of advocates of the cause, stands the *Montreal Witness*, which fearlessly for years, and in the teeth of powerful opposition, has not ceased to boldly attack the drinking usages of the day, and hold up to public view the many fearful consequences resulting from the use of this wretched stuff. A goodly portion of the secular press of the country is found on the right side. But we want more. All are ready to admit the immens influence of the fourth estate, and we trust that more of the press of our country will be found advocating the good cause. The question may be asked, Can anything more be done than has been done? We answer, yes—prohibit the manufacture and stop the sale. This undoubtedly is surrounded with very many formidable difficulties; but we cannot regard them as insurmountable. The difficulties in this case are not greater than those that surround many other greater national questions. Men who were equal to the task of uniting in one whole the scattered Provinces that now form this great Dominion, or those who can undertake the stupendous work of constructing a great highway across this continent, encountering difficulties of no ordinary magnitude, crossing great rivers, traversing unknown regions where the foot of men has never trod, stretching across immense prairies, and unexplored woodlands, scaling lofter mountains, and skirting the precipitous sides of hills whose tops are capped with eternal snows, spanning fearful gorges, tunnelling through prodigious rocks and requiring for its construction and equipment from 100 to 150 millions of dollars, and when finished, will form one of the greatest works of art ever undertaken by man. Such men will, no doubt, be found equal to the work of carrying through this House a law to prohibit the manufacture and sale of intoxicating drinks, a boon, the value of which, cannot be measured by dollars and cents. Nor can we regard this question of greater magnitude than that great re-

form undertaken, and carried to a successful issue by the Right Honorable WILLIAM GLADSTONE, the dis-establishment of the Irish Church. It may be asked, have we any GLADSTONES here? We have talent on both sides of this House that would do credit to any Parliament. In conclusion he expressed his gratification at liquors being excluded from the House of Commons dining room; but he regretted that the Senate should still persist in keeping open their saloon, where liquor was freely sold, and too much of it brought into apartments connected with the Commons, despite the vigilance of our worthy SPEAKER, and the positive order of this House.

Mr. DYMOND said hon. members had been performing a feat similar to that of the King of France who with "twenty thousand men walked them up the hill and then walked them down again;" not perhaps in quite so imposing, but in quite as inconsequential a manner. He rose not to deliver a third temperance oration interesting and instructive as they were to listen to, but to offer his humble protest against this question being any longer treated as it was being treated by the House at the present moment. They had had with reference to this question of a prohibitory liquor law an overwhelming amount of influence from the outside world in the shape of petitions They had had committee after committee and they had had, he would venture to say in spite of remarks made by members opposite, the report of a very able and impartial commission. The all but unvarying testimony so far had been in favor of a prohibitory liquor law. And yet the leader of the movement in the House had discussed the question before empty benches. What did this mean? It meant that the House of Commons was not sincere in its desire to abolish the liquor traffic at the present time. If it were sincere hon. members would at least be in their places to testify to the interest they felt in the movement; but empty benches could only mean one thing when a question of that kind came before the House. He confessed that when the question came up last year in the greenness of his Parliamentary youth he thought there was some sincerity felt in dealing with it; and he ventured to tell his constituents so when he passed among them. He would tell them so no more, and no hon. members could go to the country and ask its support and approval for the course they were taking on that subject to-night. The speech and resolution of his hon. friend for Middlesex had the same appearance of weakness. He (Mr. DYMOND) did not think, however, it was possible for his hon. friend to have gone further than he had done on the present occasion. But he ventured to say that this must not be repeated, that this was the last time they must be content with empty declarations, that if any good was to come out of speeches and resolutions, they must be prepared to give logical force to their arguments, and come what might, test the sentiments of this House by an Act of legislation, and thereby ascertain whether the House and the Government were prepared to carry out the professions which they had made during past years. If his hon. friend for Middlesex could not adopt that course, he (Mr. DYMOND) hoped he would be content to rest himself on appeals to the country, and there endeavor to raise public opinion, which if not quite as direct in operation, might perhaps in the end be more effectual than any resolution proposed in the House of Commons.

Mr. LANDERKIN thought the question of a prohibitory liquor law was the most important one that had come before Parliament during the present session. Various adverse agencies had been resorted to with a view to bring about a better state of things. The licensing system had been tried but had failed, and intemperance was increasing among the people, notwithstanding all the influence which churches, temperance associations and other preventative means could bring to bear. It was the testimony of the Judges and Officials charged with the administration of justice that a very large proportion of the crime in this country was due to intemperance. The public had taken considerable interest in the question, and by petitions had sought to induce the House to stop the progress of the drinking evil. Although he was in favor of any law or enactment that would tend to remove the evil, yet the constituency which he represented did not appear to be very earnest in favor of temperance, for out of 20,000 people only 300 had petitioned in favor of a prohibitory law. If that and other constituencies desired that a prohibitory law should be

put into force they must plainly manifest their determination to have such a law placed on the Statute Book. There would undoubtedly be many difficulties encountered in carrying out a prohibitory law in the Dominion on account of it lying alongside of the United States, and to accomplish the task would involve very great expense; unless the people were a unit on the question it would indeed, be almost impossible to carry it out. But sufficient arguments could not be adduced why the Government and Parliament should not deal with the question. It was known that the liquor traffic produced great injury to the State, and it was the first duty of Government to protect the rights, liberties and peace of every citizen. The actual cost of liquors consumed in the United States annually was estimated at $739,000,000, and the consumption in Canada was proportionately as large. The hon. member for Montreal West had opposed a prohibitory law because of the difficulty of carrying it fully out; but that argument was not sound because if we were to abolish all laws that were not fully carried out, some of our most beneficial laws would have to be struck from the statute book. Although such a prohibitory law might be violated in same cases, yet the fact that it was necessary for the preservation of the well being of the country was sufficient of itself to demand that such a law should be enacted. He thanked the hon. member for Middlesex for submitting the question to the House in such an able and exhaustive speech, and he trusted that if the people desired a prohibitory law to be passed they would fully show their desire by petitions and otherwise, and if it appeared that the people did desire such law, then the House would be prepared to deal with the question notwithstanding the many difficulties which surrounded it.

Mr. McCRANEY said the report of a commission to inquire into a Prohibitory Law in the United States, referred to by the hon. member from Middlesex, in his speech continued a contrast between the License Law and a Prohibitory Law, and it was quite clear from all the evidence submitted that where a Prohibitory Law has been tried it has been successful. After listening to all the arguments against the manufacture, importation and sale of intoxicating liquors, it appeared to him that the business was one of the very worst speculations that any country ever engaged in, or any Government made legitimate by legislation. There was not a single sound principle of political economy that was not to a large extent counteracted and undermined by the operations of this terrible traffic in strong drink. If we take the large capital invested in this business and invest it in any legitimate commercial pursuits where it would meet the requirements of the people what a mine of wealth it would be to our country. But in the manufacture and sale of intoxicating liquors the greater the investment of capital the greater the injury to the country, because it had been shown by indubitable evidence from reports to this House that the manufacture and sale of strong drink increases the taxes of the industrious, which is not fair, and puts money into the pockets of the non-producers, or, in other words, robs the many and gives to the few. It is a recognized principle that every man endowed with reason and health should be a producer of something that is good and useful to the whole country in which he lives, and the country that gives him protection, and that every man should pursue such a business so as to render a valuable consideration for what they receive. And if he fails in this he obstructs the very design of human society, which should be constructed on a benevolent principle or basis, and should provide for the happiness and comfort of the whole community. What may be said of individuals may be said of Governments, namely, to assist only those interests that will provide for the happiness and comfort of the people. Those engaged in the liquor business in all its different branches are not only non-producers of anything that is good and useful, and that is conducive to the happiness and comfort of the whole community, but the country loses their labour and their moral influence for good; they are positively destroying the producers and productions of the country. How many of the working men, the very bone and sinew of our country are destroyed annually by the traffic who will never reveal it. This is a terrible cancer in the body politic, and the sooner the Government knife is applied, and its complete removal effected the better for this young but rising Dominion. Then the revenue

from this traffic has been referred to by the hon. member for Middlesex, which amounts to between four and five million dollars annually, while the loss to the country is estimated for liquors imported at the retail price, about $8,000,000; liquors manufactured at the retail price, about $10,000,000; land used in the cultivation of hops and grain, $2,000,000; loss of capital and labor invested in the wholesale and retail business, about $8,000,000; loss of labor to employers and working men, $5,000,000; destruction ot property on land, lakes and rivers, loss by theft, bad debts, failures and various other crimes, $3,000,000; loss through pauperism, destitution, sickness, insanity and premature death, caused by drink, $3,000,000; cost of police prosecutions, Courts of Justice, support of criminals, losses to jurors and witnesses, $2,000,000. Thus the balance sheet stands:—loss, $41,000,000; revenue, $5,000,000; money enough to build the Pacific Railway in three years. This is political economy with a vengeance. But the fact that a larger proportion of the revenue is derived from this source, should not stand in the way of its removal if it were seen and felt that no amount of revenue, however great, could justify moral wrong and social suicide. There must be in the nature of things, and in accordance with the laws of political and social economy, some other and more equitable method of providing for all the necessary expenditure incurred by this Government. He was in favor of a prohibitory law, pure and simple, but failing to secure that, would support any other measure that had for its object the lessening of the drinking usages. He spoke the sentiments of the constituency he represented, and of the whole of the Province of Ontario, when he said "we are ready for this law, and believe if this law was passed for the whole Dominion, and giving those engaged in the business say two years to close up, there would be no difficulty in carrying out the law." Friends of the temperance cause hoped and trusted the Government may see their way clear to give us this law. He was pleased to learn from the hon. the First Minister that in the Bill for the government of the North-West Territory, intoxicating liquors were to be excluded, and for this he will receive the thanks of the friends of temperance in this Dominion; and just as long as this Government uses its influence and legislation to curtail this traffic, and administers the Government in truth and righteousness, just so long will the King of all Kings and Governor of all Governments continue to bless and prosper this young Dominion.

Hon. MALCOLM CAMERON said it was competent for the House, when it went into Committee, to carry out the arguments adduced in favor of prohibition, to their logical conclusion. He was supported in that view by a communication he had just received from the Sons of Temperance Society of Duffin's Creek, declaring by resolution, "That the people of the Dominion of Canada are sufficiently educated up to, and prepared to entertain, a law for the prohibition of the manufacture, importation and use of intoxicating liquors, and that the passing of such a law during the present session of the Dominion Parliament should go into force and effect within a reasonable time, and that Bill would be to the great majority of the people as the greatest reformation and blessing ever vouchsafed to this country." The hon. member for West Middlesex, and the cause he had adopted, thought proper to go cautiously and steadily, but at the same time when the House went into Committee, a Bill might yet be introduced and passed. He regretted that the temperance question should have come up so late in the Session, but if a Bill was introduced he would give it his hearty concurrence. He never expected to stand in a Legislative Assembly and hear such sentiments uttered as had been uttered to-night. Although he had been fourteen years engaged in temperance work, he had never before heard any person ready in an assembly of Christians to come forward and declare that beer was a natural beverage. But however much he might be surprised on hearing that statement, he was considerably more surprised at the speech of the hon. member for West Montreal. He had the misfortune not very long ago to leave this city by night train to proceed to Montreal to give that hon. gentleman his support with a view to return him to this House little knowing what sentiments he would utter; but he made the hon. member a promise that he would not do so again. This young man, brought up in the best society at a seat of

learning, must be a Mahomedan because if he cannot get drink and dancing here he hopes he may do so in another world. If that sentiment represented the views of the constituency of Montreal West, he (Mr. CAMERON) was much mistaken in his estimation of the people. The action of the hon. member was the more surprising in view of what was transpiring in his own constituency—in view of the stand Archdeacon BOND, a member of his own church and one of the most devoted ministers in the country, had taken, whose name was known not only over this land but in the other countries. When the hon. member spoke of the temperance men being a low class and being fanatics, he ought to have remembered that one thousand clergymen of the Church of England had formed themselves into a temperance society, of whom some were chaplains to HER MAJESTY the QUEEN. A brother of Earl RUSSELL was at the head of the movement, and the secretary was the Rev. Wm. ELLISON, who was known all over the world for his devotion to the temperance cause. Two months ago four thousand clergymen of all denominations met in Manchester to demand a prohibitory law for England. Did the hon. member not know that men were meeting by thousands in England, Scotland, France, Germany and the United States, setting forth the misery and wretchedness arising from the sale of drink, and protesting against the increase in the number of saloons being licensed. Did he not know that JOHN GOUGH had stated that a young man who publicly took the side of dissipation and malpractices never ended his career successfully. He would quote a few words from a magazine of very high literary authority which declared that the use of alcohol as a medicine was a mistake and that the faculty were changing their views on the subject. The magazine said :—"The combat against the far-spreading, the overwhelming vice of intemperance, is not to be fought on the outskirts of the question. The disease must be followed home to its origin—the family circle. The chairman of the Ministerial Conference on Temperance that assembled in Birmingham last November did not hesitate to bear his testimony against the frightful spread of family intemperance, and this, we contend, is mainly owing to the vicious influence of medical attendants. He said that :—'Among educated, aye, and the Christian ladies, this vice had now got a hold and grasp of which it never had before. Let them ask any medical man who had got a large practice, no matter whether he was friendly or unfriendly to the movement, he believed his evidence would be that intemperance among ladies had fearfully increased. If, then, this vice was increasing among our sisters and wives and mothers, what was to become of the next generation.'" The case of Dr. TODD mentioned in the magazine, showed the danger of alcohol, as did also that of the member of Parliament who died under Dr. TODD'S practice of giving brandy. The past history of the world, and the past history of the article was not to be a justification for our going on in a mistaken policy contrary to the evidence of our own senses ; contrary to the evidence of all philosophical and chemical intelligence, and contrary to the statements of some two thousand physicians of London that it was dangerous in very many cases when given in medicine. He need not attempt to describe the sufferings of the poorer classes in England through the gin palaces and the beer shops ; but they would not disregard the words of Archbishop MANNING who said :—such are the sufferings among his people, such the sufferings and disgrace brought upon his country that wherever there is a meeting or platform for temperance he would be there. The clergymen were united in that course. He also quoted the testimony of Capt. HUYSHE concerning the Red River expedition. He declared that the troops could never have accomplished their work had not alcohol been entirely kept away from them, and that the men used only tea. And the fact tested by experience in the day's work of the men, the absence of crime, showed the advantage of the course. and there was no trouble and no court-martials : but the day after they got there they got liquor, and one of the soldiers was found dead from the effects of it. There was a large number of facts of that kind, though he need not detain the House by giving them—showing the great change that had taken place in the last forty years, and now they found total abstinence advocated by the first men in the first positions in the world, and by men, too, of the highest scientific attainments. He could give instances in this

city of Ottawa, if it were necessary, of men who had been lost in the gutter through drink, but had been reclaimed, and were now useful and industrious and respected members of society, through the agency of total abstainers and their associations. The great obstacles now in the way of prohibition were the men and capital in the liquor trade. All the Judges in the land had condemned the liquor traffic, and had declared that it was the principal cause in filling the criminal calendars and the gaols, and contributed more largely to the lunatic asylums than anything else. But they, like too many others, did not give this movement the influence of their example. They said "Am I my brother's keeper?" and considered that all should have as much common sense as they had, and there would be no excess. He need not point out the danger and fallacy of that argument.

Mr. GORDON said it was too late in the day to go into a temperance lecture on this subject to educate public opinion, for that work had long been done. The exhaustive speeches of the hon. member for West Middlesex last year, and on this occasion, left little to be said, but he (Mr. GORDON) was one who took the ground that public opinion was not yet educated to the point of carrying a prohibitory law into effect if it were placed upon the Statute Book. The hon. member for Vancouver's Island had asked why, if temperance men were in earnest, they did not seek to place a law on the Statute Book; but he thought no greater evil could be done the temperance cause than rash legislation with regard to it. The evil was a gigantic one; its ramifications were very great, and extended through all classes of society, and they would have to meet all the opposition that would be raised to this measure. The people must be educated to the struggle that would be required from them in order to carry out the law, and he contended that public opinion had not been educated up to the difficulties and sacrifices they would have to make in order to work out this law in good faith. He maintained public attention had not been called to the probability that a suit of clothes now costing $12 would then cost $18, and that tobacco now costing 50 cents per pound would then cost 75 cents per pound. If they said in the face of all these, "we are prepared to make this sacrifice," they would have a powerful backing. An enormous difficulty in the event of a prohibitory law would be the prevention of smuggling along the extensive frontier of the neighboring public where the liquor traffic was carried on, and which would entail a heavy cost upon the country. Another difficulty would be the amount of compensation those now engaged in the liquor traffic, and it was one to which the great bulk of temperance men had never given any consideration, and probably any person who would have dared to mention it on a public platform would be scouted. But when we come to place this law upon the Statute Book we would have to meet that question. Of the six millions of revenue derived from the liquor traffic, some four millions come from the excise. When institutions are fostered under the law, and suddenly the law steps in and deprives them of all source of revenue, a sense of justice called upon us to make them due compensation. This was done in the case of slavery; and when the public mind had been educated to support the abolition of slavery, Parliament voted twenty millions sterling as a compensation to those who dealt in that enormous evil. The hon. member for North York had stated that this House was not sincere in dealing with this question; but he (Mr. GORDON) believed the House and the country was sincere, and when the country become fairly roused he believed the House would be fully in earnest, and if it were not in earnest he believed their successors would be, for at the next general election it would become the great question of the day. He condemned the remarks of the hon. member for West Montreal, and his attempt to ridicule this movement. That hon. gentleman must have known many a noble youth whose earthly prospects had been ruined, or who had gone down to an untimely grave through intemperance, and it ill become him to lend his influence to foster a cause that had wrought so much ruin. He would say with all humility that one single soul was of more value than all the arguments that could be put in the balance against it, and he hoped that on this account the question would be weighed seriously by the House.

Mr. GOUDGE said he could not give a silent vote on this important subject; and he was more and more convinced that the

course pursued by his hon. friend from West Middlesex was the most prudent one that could be taken. The reason was that it was not competent for a private member of this House to bring in a resolution affecting the revenue of the country. This was a question of very great importance to the revenue, as well as to the social relations of the country, and it required very full and careful discussion before this House would be ready to pass a measure of prohibition. He thought the question had very nearly reached that point; and as soon as they had prepared a measure to provide for the ordinary revenues of the country the people would be ready to ask the House to pass such a law as they had in the State of Maine. He believed the people were sincere, and that the conviction was rapidly growing in their minds that such a remedial measure was necessary to destroy the evils of the liquor traffic. They had used moral suasion for years to educate the people, and very properly, for a prohibitory law would be inoperative unless a large proportion of the people were in favor of it; and he thought as soon as the people were prepared, this House would be prepared to give them a prohibitory liquor law. The sentiment of his county was that the legislators were not willing to grant this measure, and he believed this feeling prevailed extensively or there would have been a great many more signatures to the petitions to this House to pass the law. He believed if arrangements were made for a *plebiscite*, as he hoped there would be, it would be found that public opinion would demand the passage of such a law. and he was prepared to assist in procuring such a law, as he believed it was the only cure for intemperance. Temperance men should not shut their eyes to the many difficulties in the way, and one of which was the question of revenue. There was much doubt as to how the revenue could be raised; but he contended there need be no fear, on that score, as the money now sent out of the country to the West Indies and other countries for the purchase of liquor, would be spent at home, and, if turned into its proper channels, as it would be, go so far to increase the comfort and prosperity of the people that there would be a much larger consumption of dutiable goods, and thus largely increase the revenue. Then there would be an immense saving in the expenditure upon penitentiaries in the great reduction that would take place in the numbers of people who are now paupers and criminals, and inmates of gaols, so that instead of being a burden to the public they would become a source of wealth, and soon our revenue would be fully equal to what it now is. In Maine the principle of total abstinence had extended to every party, and the Governor of the State was a tried temperance man, and was elected upon that ticket. He (Mr. GOUDGE) had had the pleasure of meeting in Halifax, in the summer of 1873, thirty-two members of the Press of Maine, and of that number twenty-eight were pledged teetotalers. It could not be otherwise than that public opinion must be very much advanced in the State of Maine when such a large proportion of the Press of the State were pledged teetotalers. The American Consul at his (Mr. GOUDGE'S) home had been identified with the Government of the State of Maine for many years, and had assured him that so far from the liquor law being a failure in Maine, it was a decided success; and while there were cases at Portland of evasion of the laws, it was, on the whole, well sustained.

Mr. WILKES said that the time taken in getting up the enormous petitions to the House justified the time spent in discussing the question. He took the view that this question had sometimes not been advanced but injured by unwise and precipitate advocacy. He was pleased to find that the hon. gentleman (Mr. Ross) was not extreme in his views, and was not determined to force the Ministry of the day into the immediate adoption of the principle, whether public opinion were ripe for it or not. That was an answer to those who charged all the advocates of a Prohibitory Liquor Law with being Utopian and extreme. We were also charged not with being extreme, but that if we were sincere we should have a measure placed upon the statute book now. It was his candid opinion that in Ontario a Prohibitory Liquor Law would carry at the polls, for the people felt that the license system had failed, and they would now try prohibition for better or for worse. This discussion if it bore no immediate fruit, would have

the effect of awakening public attention to the efforts being put forth in advocating this question. This traffic had a very considerable relation to the electoral system in this country ; and an instance was to be found in the late contest for the mayoralty in Toronto. The license question had been taken to the polls, a temperance candidate had been bought out, the supporters of the liquor traffic had elected their candidate on that account, and not because he was an Orangeman or because of his politics. He need not remind the House that the recent elections in England were effected largely by the Opposition of the liquor sellers to the Permissive Bill, and in this country the same influence worked to a greater a less extent. The light wines of the continent were heavily fortified to make them suitable to the English taste, and he thought the wines thus manufactured should be taxed more heavily than the non-intoxicating wines. He hoped the time was not far distant when this House would deal with the question of prohibition.

Mr. THOMPSON (Haldimand) said there was such a vast amount of suffering throughout the country that they should do all they could to put down this unmitigated evil. The increase in the numbers of persons in our penitentiaries and asylums was to be attributed to the use of liquor. Last summer he had had the honor of addressing a large meeting in his own county and they were in favor of prohibition ; and he was prepared to give a vote on this question in favor of suffering humanity, and without regard to any he might meet with in his county at the next election. He thought the hon. members on the Treasury Benches had sufficient ability and intelligence to devise some scheme to make up any deficiency that might occur in the revenue by the adoption of a prohibitory liquor law as they would have had to do had the Reciprocity Treaty been negotiated. He had stated two or three years ago that the members of this House were "standing upon a whiskey barrel," and he was sorry to have to say that they were standing upon it to-day. The keeper of the restaurant below stairs had stated he could not not succeed unless he could sell intoxicating liquors, but he hoped that would not be permitted. Was the House setting an example to the country in this matter ? He hoped the time was not far distant when this traffic would be abolished at once and forever.

Mr. RYMAL said that for thirty years the minds of the people had been agitated over this matter of prohibition and for twenty years they had by tens and hundreds of thousands been asking for prohibition, and was he to be told they did not know what they were asking for, and that they were not educated upon the question. The supporters of the traffic had all along had the law for their protection, and he now thought it was time for the friends of temperance to have the aid of the law, and then it would be seen how much easier it would be to put down this vice. The licence law had been a failure, admittedly ; but let the friends of total abstinence have the law on their side, and it would be seen if they could enforce it. It should not be forgotten that after the passage of a liquor law the real battle would have to be fought out ; and it was for us to decide whether the real friends of prohibition were to have the law on their side. If they expected with moral suasion and public agitation to secure the passage of the liquor law they might keep on for the next century. Was there any evidence in society to-day that temperance was on the increase ? Were those who gave tone to society temperance men ? Did they find temperance principles governing the hospitalities of the GOVERNOR GENERAL and the Ministers of the Crown ? He recollected receiving the advice that if he wished to be at all times an independant member of Parliament he should seldom put his legs under the mahogany of ministers. He believed until there was a perfect approval of society upon this matter, public opinion would not be thoroughly advocated and ready for the passage of a prohibitory liquor law. The importance of this question was very great, and he would be false to every feeling of his nature if he did not raise his voice on every occasion on behalf of what he considered would be the greatest boon to the people of Canada.

Mr. SCHULTZ said that having an amendment to offer to the motion now before the House, he would briefly state the reasons which led to his moving it. Ever since he had been in Parliament, each successive session had had its discus-

sion on the question of Prohibition. He remembered well how much he was impressed when first he sat in the House with the force of the arguments used in favor of the measure, and the vehemence with which its advocates insisted on its immediate adoption. He felt that should it come to a vote, so many had committed themselves to its support by their utterances in the House that it must carry,and that as carrying it would imply the necessity for the Government providing five millions of revenue in some other way, he looked at the Treasury Benches expecting to find that anxiety in the faces of Ministers, natural to men shortly to be called upon to meet such an emergency. Anxiety there was evidently none of however. Ministers wore that placid expression which a fair following and a respectable surplus gives, and he felt fairly puzzled at the earnestness on the one side and the indifference on the other, till the riddle was solved by a friend longer in Parliament than himself explained that it was all right. The question would be by mutual consent avoided, and the matter referred to a committee. On one pretext or another the danger of a direct vote of the House was tided over by the late Government till it came to be looked upon as a necessary annual farce; necessary to be enacted to satisfy the temperance part of the community. Things took a better turn when the new Administration came into power, and to do them justice they had treated the matter in a much fairer manner, and he had understood the Premier to intimate, while advocating the reference of the matter to the Committee of last session, whose report was now before us, that when the House was fully prepared to recommend such a measure the Government would be prepared to meet their views.

Hon. Mr. MACKENZIE said—I made no such statement.

Mr. SCHULTZ said he regretted that he had misunderstood the Premier on this important point, but in any case he felt that the time had now came to obtain a direct expression of opinion from the House in this matter. The Committee to inquire into the working of the law elsewhere had made what seemed to be an able and exhaustive report, the essence of which his hon. friend from West Middlesex had embodied in the motion now under consideration. That motion he fully agreed to in all but its last clause, which seemed to him to leave the matter still indefinite. It proposed to wait for expressions of opinion from outside this House before asking the passing of the Law. He felt that they were sent here to express the opinion of their constituents in this and all other matters affecting the general good, and if additional evidence was needed in regard to outside feeling they had it in the numberless petitions which had been presented session after session. He had no personal object to serve in moving this amendment. He was not a member of any Temperance society, nor had his county sent a single Prohibitive petition. He was simply a convert to the arguments used and so ably urged by the hon. member for West Middlesex and others, who had since he had been in Parliament advocated the measure. Believing, as he had before stated, that the time had come for a direct expression of opinion from the House, and fearing that reference to Committee, which had been fatal to every previous effort to bring the question to a direct issue, he moved, seconded by Mr. White. He moved in amendment to the resolution that the following be substituted for the last paragraph: "That in view of these facts, it is the opinion of this House that a prohibitory liquor law is the only effectual remedy for the evils complained of, and it is the duty of the Government to submit such measure for the approval of Parliament at the earliest moment practicable."

AFTER DISCUSSION,

Mr. SPEAKER ruled that the amendment was out of order, because it was irregular to give an instruction to a Committee to do a certain act which the Committee would have power to do without an instruction, and the amendment he held to be such an instruction.

Mr. SCHULTZ then altered his amendment to read as follows:—that all the words after "that" be left out, and the following inserted instead thereof:—"it be *Resolved*, That in the opinion of this House a Prohibitory Liquor Law is the only effectual remedy for the evils of intemperance, and that it is the duty of the Government to submit such a measure for the approval of Parliament at the earliest moment practicable."

Mr. ROSS (Middlesex) said he thought the course he proposed to adopt was one which would fully meet the present exigencies of the case, and it was simply to ask the House to assent to the proposition that Parliament was prepared to promote such legislation as would prevent the manufacture, sale and importation of intoxicating liquors. He did not ask the House to cast the responsibility of such a measure on the Government. He would move the adjournment of the debate.

Mr. SPEAKER ruled that it was not competent for the mover of the resolution to now move the adjournment of the debate.

Hon. Mr. MACKENZIE thereupon moved the adjournment of the debate.

Mr. BUNSTER hoped the debate would not be adjourned, for the question was only simply of political bunkum, introduced by a few hon. members.

Mr. BOWELL said no reasons had been given for the adjournment of the debate. He had no doubt, however, in his own mind as to the cause for adjournment. He did not desire to impute motives, but he had no hesitation in saying that the motion for adjourning the debate at this late hour, after the whole evening had been spent in discussing the question, was done for the purpose of burking it. The House was as well prepared now as it would be a fortnight hence, after sixteen caucuses had been held, to come to a direct vote on the subject. The country was as well prepared now as it would be ten years hence, to decide whether it would have a prohibitory law, for the question had been discussed since he was a boy, and was agitated every year. The question should be left to the Government to grapple with. He did not say that if the motion passed, the Government shall bring down a scheme this session; but if the House was in favor of a prohibitory liquor law, let hon. members express that opinion, and during the recess the Government will have ample time to prepare a scheme to the House next session.

Mr. MASSON reminded the House that during previous debates the Opposition had asked for the adjournment of the debate at a late hour, and it had been refused. The motion for adjournment was now made by the Premier, that the Government might consider what action they would adopt.

Hon. Mr. MACKENZIE said it was for no such purpose. He did not move the adjournment as leader of the Government, but in the exercise of his privileges as a member of the House. But he could see that hon. gentlemen opposite could not even discuss the temperance question without the political element cropping in. The chagrin and vexation upon the faces of hon. members who had moved, seconded and supported the amendment showed that they cared nothing about temperance principles; they cared simply to embarrass the Government if they could, and they could not do it in that House.

Mr. ROSS said he fully accepted the responsibility of moving the adjournment of the debate. The hon. member for Bothwell and other hon. members desired to speak, and he would therefore certainly object to the debate on such an important question being cut short.

Hon. Mr. HOLTON said it was quite obvious that the whole question was changed by the amendment which gave the discussion a political turn, affirming as it did that it was the duty of the Government to deal with the question. The debate should, therefore, be adjourned.

Mr. MASSON called attention to the fact that the Government had sprung a motion on the House during the New Brunswick School Law discussion, and refused to allow adjournment of the debate.

Mr. FARROW expressed himself prepared to vote upon the question, and opposed the adjournment of the House.

Mr. SCHULTZ could not allow this question to go to a vote without entering his protest against the rude manner in which the Premier had assailed those who favoured the amendment. It was entirely uncalled for, and he challenged any man to state whether or not he knew the substance of the amendment. It had been determined upon by him (Mr. SCHULTZ) five days before. He showed it to nobody except the head of the temperance body in this city, and took advice from nobody in this House on the subject. Its being seconded by the hon. member for Hastings was entirely an accident. If he (Mr. SCHULTZ) had known the hon. member for Annapolis would have seconded it he would have asked him to do so, because he wished to

keep politics out of this matter He hoped in future the Premier would find some better means of expressing his views. He would thereby secure to himself the friends he had, and mollify the opposition to his Government.

Mr. PATERSON said it must have struck every one in this House as very unfortunate that the hon. member for Lisgar had not consulted with the hon. member for West Middlesex, the recognized leader in this movement, before offering this amendment.

The motion to adjourn the debate was carried on a division, and the House adjourned at one o'clock.

HOUSE OF COMMONS,

Tuesday, March 16th, 1875.

The SPEAKER took the chair at three o'clock.

BILL INTRODUCED.

Mr. BLAIN introduced a Bill respecting the Huron and Ontario Ship Canal Company, which was read a first time.

THE NORTH-WEST TERRITORIES.

The House went into Committee of the Whole, Mr. DYMOND in the chair, to consider the following resolutions :—

1. That it is expedient to amend and consolidate the Laws respecting the North-West Territories, the Government thereof, the Administration of Justice therein, and other matters relating thereto.

2. That it is expedient to provide that salaries, not exceeding the following amounts per annum, may be paid out of the Consolidated Revenue Fund of Canada to the following officers to be appointed under the Act to be passed in the behalf aforesaid :—

To the Lieutenant Governor, not exceeding	$7,000
To each Stipendiary Magistrate, not exceeding	3,000
To two Members of Council, each, not exceeding	1,000
To the Clerk of the Council, who shall also act as, and perform the duties of Secretary to the Lieutenant Governor, not exceeding	1,800
To the Clerk of the Court of each District, not exceeding	500
To the Sheriff for the said Territories, not exceeding	1,200
To a Registrar of Deeds for the same, (to be recouped by Fees and Registration) not exceeding	2,000

Mr. KIRKPATRICK — How many Stipendiary Magistrate will there be ?

Hon. Mr. MACKENZIE—Three.

The Committee rose and reported the resolutions which were concurred in.

CASK MARKS.

Hon. Mr. GEOFFRION moved the second reading of Bill to compel persons delivering merchantable liquids in casks, to mark on such casks the capacity thereof. —Carried.

The House then went into Committee of the Whole on the Bill, Mr. FORBES in the chair.

Mr. JONES (Halifax) said the Bill contained no provision for marking ullages in casks not quite full.

Hon. Mr. GEOFFRION said the object of the Bill was to mark the capacity of the cask, and not the amount of the contents which might be in it.

The Bill was reported, read a third time and passed.

LIFE INSURANCE INSPECTION.

Hon. Mr. CARTWRIGHT moved the second reading of a Bill respecting Life Insurance Companies and Companies doing business other than Fire and Inland Marine. He explained that the object of the Bill was to enable the Superintendent of Insurance, who is to be appointed under the other Insurance Bill before the House, to examine into the solvency of life insurance companies. That would be his sole duty, and he would be directed to estimate their assets at the rate of five per cent. per annum. In Massachusetts the rate fixed was 4½ per cent., but in this country we could fairly make it a little higher. In England it was a little lower. It was not proposed to alter the existing law in any respect except to subject these companies to inspection. Life Insurance was more complicated than Fire and Marine, and the Government had decided not to deal with it in general manner for the present.

Mr. WOOD said Life Insurance was more important than either Fire or Marine. There was a large amount of money invested in these companies for the benefit of widows and orphans, and the Government should see that they were rendered safe.

Hon. Mr. CARTWRIGHT said this Bill met his hon. friend's wishes to a great extent as regards their solvency.

The House went into Committee of the Whole on the Bill, Mr. WOOD in the chair.

Mr. YOUNG asked why five per cent. had been adopted. Most companies calculated upon 4½ per cent., and certainly ½ per cent would make a considerable difference on the total.

Hon. Mr. HOLTON thought most securities held by these companies bear a higher rate than 4½ per cent., and many of them higher than five. He thought that was the best rate. It was the rate which most of the loans located by the Dominion for some years past bear, and he thought that would be found a justification for fixing the rate at five per cent.

Hon. Mr. CARTWRIGHT said a lower rate would have discriminated against Canadian companies.

Hon. Mr. MACKENZIE said it would have made Canadian companies look less favorable in the eyes of the public than they really were. Some United States companies doing business in the Dominion had their caculations based at six per cent., and it made their statements of affairs look more favorable than they should be. If the rate in Canada were the same as in Massachusetts, it would make our companies look still more unfavorable. It was quite compatible with the safety of our own companies, and the rate could not well be made less. The hon. member for Cardwell, who was deeply interested in this Bill and connected with a very successful Canadian company, was satisfied with this rate.

The Committee rose and reported the Bill. Third reading to-morrow.

SALARIES OF SUPREME COURT JUDGES.

On motion of the Hon. Mr. FOURNIER, the House went into Committee of the Whole on certain resolutions respecting salaries proposed to be paid to the Chief Justice and Judges mentioned in the Bill to establish a Supreme Court—Mr. LAFLAMME in the chair.

Hon. Mr. FOURNIER said he had been informed from all sides of the House that the salaries proposed in the Bill were too low, and that the Government would on that ground have very great difficulty in the composition of the court. He, therefore, proposed to amend the resolutions by proposing that the salary of the Chief Justice be $8,000 and the puisne Judges $7,000 each, thus placing them on the same footing as the salaries of Ministers of the Crown.

Mr. SCATCHERD said he was opposed to the salaries of the court altogether, and hought the Government would have done better to have deferred till next session at least any action in the matter as their predecessors had done. The Dominion had got on so far without a Supreme Court; there was no demand for it; and its establishment on the scale proposed would cause dissatisfaction throughout the country. At the very start the court would require $43,000 for salaries of Judges alone, and there would be the salaries of other officials besides. A public Court House and other buildings would be required, and $100,000 would soon be expended. The country did not expect this from a Reform Government, it was Reform in the wrong direction.

The resolutions were reported.

SUPREME COURT.

Hon. Mr. FOURNIER moved the second reading of the Bill to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada. He said it was only proposed at the present time to discuss the principles of the Bill, and then refer it to a Committee of the Whole to which amendments might be submitted.

Mr. PALMER said as the Bill was one of very great importance to the whole Dominion it was desirable that it should be framed so as to effectually meet all requirements. He had several serious objections to the Bill as drafted. The first to the sixteenth sections provided for the formation of the court, and then followed provisions with regard to its appellate jurisdiction and onwards to the 35th clause were provisions as to the different modes of procedure to the guidance of persons coming to the court with appealed cases. He did not object to a Supreme Court of Appeal, but his opinion was that such a court ought to confine itself entirely to matters of appeal and should have no original jurisdiction whatever. The second objection he took was that having created this Court of Appeal it was of the greatest importance that where matters by way of appeal were carried from so many courts of different jurisdictions and different modes of procedure the most simple and general form of appeal should

be adopted. There was no necessity whatever for any writs of error or other mode of procedure than one simply applicable to all cases. He would direct attention to the fact that the procedure he suggested would be a simple notice given to the opposite party filed in two different courts with proper security or other preliminary requisites that might be considered expedient before the right of appeal would attack. One point was lost sight of entirely in the Bill which was this—that we could not do away with the right of appeal to the Judicial Committee of the Privy Council for it was not within the power of Parliament to do so. By section 17 the right of appeal was given when the amount reached $1,000; but this should be altered so as to give the right of appeal when the sum was that amount, and also in cases where the importance seemed to demand it. There was also a set of clauses connecting with section 58 to which he could not agree. Their object was that when a question arose in any court in the different Provinces in which the question of the validity or *ultra vires* of the particular and of the Local Legislatures or of the Dominion Parliament was raised, it immediately removed the jurisdiction from that court and forced the litigant in the Supreme Court which would only hold its sittings at Ottawa. As every lawyer of experience knew, that would cause great hardship. The clauses from 58 to 62 which had reference to the Exchequer Court were entirely unnecessary. A grave mistake had been made in making provision in the Bill for such a court. He believed there was ample jurisdiction in the different Provinces for deciding Exchequer cases, and for dealing with them more conveniently and at less expense than before the proposed court. Another powerful argument against the creation of an Exchequer Court was the fact that if this court were created for original jurisdiction, there was necessarily no appeal from it. Of course the parties might appeal before the same Judges but that would be unsatisfactory. Another objection was the provision made for the residence of all the Judges to be at Ottawa, while a more advantageous arrangement would be to have them residing in the capitals of the other Provinces, where they could hear preliminary matters in Chambers. There was no reason, moreover why the terms of the court should not be held in rotation at the different chief cities.

Mr. TASCHEREAU said the vast importance of this measure, the great interest which it may effect, especially in the Province of Quebec, would well form an excuse for a young member of this House like him to take part in this debate. But in taking the floor he would confine himself to making a few remarks with respect to a part only of the Bill now before them; the general principle of which he fully approved and acquiesced in. He had mentioned the Province of Quebec as being especially interested in this discussion. This interest arises out of the civil appellate jurisdiction proposed to be given to the Supreme Court, and of the peculiar position of that Province with regard to her institutions and her laws compared with those of the other Provinces. Situated as she is, no Province in the Dominion is so greatly interested as our own in the passage of the Act now under discussion, and which before many days are over, will form a most important chapter in the statute books of the Dominion. Far from him was the least intention of speaking in a sectional point of view, of raising any kind of prejudice. But they had as legislators to deal with facts, and facts he intended to submit to their consideration, if the House could give him a moment's attention. They had in Quebec their own laws of real estate, own testamentary and succession laws, their own laws respecting marriage community, marriage contracts and dower, their laws of contracts, and laws of procedure. Even our commercial laws were distinct from those of the other Provinces, except as regards evidence. In a word, they have their good old French laws which had been secured to us by solemn treaties, laws of which they were so proud, and under which their forefathers had lived so happy, and he might add, so loyal, under the protection of the British Crown. All these laws had a few years ago been codified by the most eminent jurists of their Province, and at the present time their two Codes of Civil Law and of Civil Procedure could well bear the comparison with the French modern Napoleon Codes. The English speaking citizens of Lower Canada had long been accustomed to see their civil rights governed by these laws, they had learned to admire and cherish them, and

they were now perhaps as firmly attached to them as the French Canadian population was. In fact he hoped to see the day when all their sister Provinces, seeing the perfectness of their Codes, would adopt them as their laws of the land. But the more they were attached to their dear old laws, to their own legal machinery, so different, so widely different from the system of the other Provinces, the more they were inclined to see a danger in all innovations proposed, in all new jurisdictions which were intended to be established, and he thought he was not going too far when he said that when a Supreme Tribunal of Appeal was proposed to be created outside their Province, composed of Judges, the great majority of whom would be unfamiliar with the civil laws of Quebec, which tribunal would be called upon to revise and would have the power to reverse the decisions of all their Quebec Courts, there was, for them at least, cause for alarm, if not a danger, a great danger to be apprehended. He would perhaps be told that the same anomaly exists, that the same danger is constantly impending over them by the exercise of the right of appeal to the Queen's Privy Council in England. True, the appeal to the Privy Council had often proved fatal to suitors who had succeeded in all their courts, and sometimes by the unanimous voice of all their Judges in Lower Canada. True, some of the decisions of the Privy Council had been rendered contrary to the plainest principles of their civil law ; but this evil had been, and is a necessary, an inevitable one. The right of appeal to the Privy Council could not be prevented, except by Imperial legislation, and moreover it could be exercised only in cases where the amount or value of the thing demanded exceeded £500 sterling. Because of a danger they could not escape from, it might properly be asked if they were now justified in accepting, in fact in creating, another evil, the necessity of which was not felt, and with the fact before them that the right of appeal to England would still be preserved and exercised, over and above the appeal to the Supreme Court. Of course his remarks applied to the Bill now under discussion, in so far only as regarded the appellate jurisdiction of the Supreme Court in civil cases coming from the Province of Quebec. He did not intend to contest the desirability, nor even the necessity, of the creation of a Supreme Court and of an Exchequer Court for all the other purposes indicated in the Bill. As regarded their civil cases, he humbly thought that the people of their Province were quite satisfied with the different degrees of jurisdiction now existing in Quebec. It was a well known fact that their court of last resort, the Court of Queen's Bench, was now so composed as to inspire full confidence and respect. Of the decisions of this high and enlightened tribunal, the Bill proposed that an appeal will lie to the Supreme Court in all cases where the amount or value of the thing demanded shall exceed $1,000 currency. Well, how would these cases be disposed of? Out of six Judges who would compose the Supreme Court, he did not expect that their own Province would be represented by more than two Judges, and our own population, the French Canadian element, by more than one Judge perhaps. Without alluding for the present to the unfairness of this proportion, if it was adopted, and without insisting now on the fact that their population was about one-fourth of the population of the whole Dominion, he would content himself with laying down this proposition:—one of two things. Either the two Judges from Quebec would, in fact, control the whole Court in the decision of civil cases coming from Lower Canada, and in that case the authority of their Court of Queen's Bench, composed of five Judges, would be superseded by that of two Judges, who could not be possibly more competent than the members of their Court of Appeals, and might possibly be inferior to them. And, moreover, in that case, the two Judges from Quebec might differ one from the other, and then the decision of the case would rest altogether with the other members of the court, unfamiliar with their laws and customs. Or, in the other supposition, the entire court will presume to hear and judge their civil cases, and then their two Judges, although agreeing together, might find themselves in a minority, and then they should find perhaps the decision of all their Lower Canada courts, of all their Lower Canada Judges, reversed by Judges of other Provinces. The truth, the exact truth of this proposition could not be denied, and the danger to which he drew their attention was too apparent and

too imminent to be overlooked. If it were possible (and he made this suggestion with all due respect), to increase the number of the Judges of the Supreme Court so as to allow their Province a representation of three, then it could be enacted that for the decision of civil cases from Quebec, a sub-division of the court, composed of only the Judges from Quebec, or of a majority of them, would take cognizance of these cases. This would be at least a safe-guard against one of the evils of the system. Another objection to the proposed appeal is this :—Their country people, their farmers, who owned the soil, who were exposed to frequent and most important litigation, could generally well afford the costs of and appeal to the court of Queen's Bench. But he doubted very much if they could, in most cases, and without ruin to themselves and their families, go a further step and sustain the burden of another appeal to the Supreme Court, while a rich, and perhaps dishonest, neighbor could always force them to advocate once more their just rights before that tribunal, at comparatively enormous costs. He desired now to mention the very grave doubts which had been expressed as regarded the constitutionality of the measure in so far as appeals to the Supreme Court in civil cases were allowed. These doubts for his part he could not help entertaining, and he ventured most humbly to express them. Under the heading "Power of Parliament of Canada," he found in the "British North America Act of 1867," clause 91, as fol lows :—"It shall be lawful for the QUEEN, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces, and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated. The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces. And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature, comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces." So the only legislation the Parliament of Canada can make with regard to Common Law is a legislation in Criminal Law and Procedure in criminal matters. Clause 92, under the heading "Executive Powers of Provincial Legislatures," reads as follows : "In each Province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter mentioned : Property and civil rights in the Province ; The administration of Justice in the Province, including the constitution, maintenance and organization of Provincial Courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts ; generally all matters of a merely local or private nature in the Province." Now clause 101 is the one under which it is pretended we possess the necessary powers to pass this measure with all its provisions. It reads as follows : "The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance and organization of a General Court of Appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada." If he read this clause well, they could not do more than constitute, maintain and organize a General Court of Appeal for Canada and for the better administration of the laws of Canada. Now the civil laws of Quebec were not laws of Canada. He did not see that they possessed the power to give to that court jurisdiction over cases coming under the civil laws of a particular Province, because this would interfere with property and civil rights, and procedure in civil matters, which by clause 92 were within the exclusive powers of Provincial Legislatures. He could not convince himself that the "power to provide for the constitution, maintenance and organization of a court" means and includes the power to give

jurisdiction to that court over matters exclusively within the powers of the Provincial Legislatures, by the British North American Act. On the contrary, he believed that having once constituted and organized the court, and that court being maintained by us, they had nothing more to do, and the legislative powers were exhausted. It remained then with, and belongs to the Provincial Legislatures to determine in their respective Provinces what class of cases under civil law can be submitted to that court. Any other interpretation of the British North American Act seems to me a serious interference with their Provincial rights. He submitted these remarks in justice to his Province, but in a most friendly spirit, and with all the respect he owed and the confidence he reposed in the hon. framer of the Bill, the Minister of Justice. He (Mr. TASCHEREAU) trusted that the hon. gentleman would give them the consideration which he thought they deserved.

Mr. MILLS said he purposed to invite the attention of the House to the provisions of this Bill relative to the appelate jurisdiction to be given to this court. It was proposed to embrace many things which in his opinion it should have no jurisdiction over. He said this with considerable diffidence, because not only the Minister of Justice, but his right hon. predecessor, entertained a different opinion. It seemed to him (Mr. MILLS) that under the section in the constitution relating to this question, no such jurisdiction could be conferred. In a preceding section provision was made for the constitution of the various courts, not only for the administration of the laws of Canada, but also for the administration of the laws of the Provinces. In this section provision was made for the administration of the laws of Canada if it should become necessary to establish courts specially for that puopose. The word Canada occurred three times in this section. In the first it referred to the Parliament of Canada, and no one would suppose that the term included the legislative functions enjoyed by the Provinces as well as the functions exercised by the two branches of the Legislature here. The word was used the second time in reference to a Court of Appeal for Canada, and the third time it referred to the better administration of the laws of Canada. What was to be understood by this expression? Did the "laws of Canada" include not only the laws enacted in the Federal Parliament but also those of the Local Legislatures? It seemed to him no one would for a moment say it could have that meaning. The word Canada was used in every instance for the purpose of defining some other word or expression. It seemed to him that this expression "a general Court of Appeal for Canada" meant a Court of Appeal having cognizance of questions arising under the legislation of this Parliament and not on any question that might arise under the jurisdiction of any one of the Provinces. What was the design of this section? Under a sort of partnership arrangement the Local Legislatures constituted the courts and defined their jurisdiction and the Government of Canada had the power of appointing Judges. There might be such a thing under this arrangement as Local Legislatures refusing to make provisions for giving effect to the laws of Canada, and the power was retained to Canada, notwithstanding the previous provisions of this Act to establish besides this Court of Appeal such additional courts as might be necessary for the better administration of the laws of Canada. What was the object of the Court of Appeal? Was it that the laws in New Brunswick should have precisely the same construction as those of Ontario? Not at all! The New Brunswick law did operate in Ontario. If the people of New Brunswick were satisfied with the construction put upon the laws of that Province they would administrate them as construed; if dissatisfied their Local Legislature would change the law to suit their wishes. Therefore there was no propriety in giving to the law in New Brunswick precisely the same construction given to the local law in Ontario or any other of the Provinces, but that did not apply to the law of Canada. It was of very great consequence that the laws of Canada operating over the entire Dominion should receive the same construction in all the Provinces. In order that they might receive an uniform interpretation, where interpretations were given, it was necessary there should be a court of final resort for determining the construction of Canadian Acts of Parliament. It seemed to him for that this court was intended. It was said by the Minister of Justice

that if it was intended to make this Court of Appeal for Canada alone, the word "general" would not have been embraced. Without this it might have been in the power of a Government dissatisfied with the administration of the laws in a particular Province to establish a Court of Appeal for that particular Province. This section prevented that, and provided that any Court of Appeal established must be general. It could not be a Court of Appeal for a particular class of cases in New Brunswick, and not a Court of Appeal, for a similar class of cases in every other Province as well as New Brunswick. In this respect it was the same as the third article of the United States Constitution. There it was stated the United States should have power to vest judicial functions in the Supreme Court, to embrace matters affecting the States as well as the Federal Government. This was construed to apply over the entire territory, and cases growing out of legislation, either of Congress or of particular States, should be appealed to that court. But this was a special provision of the Constitution of the United States. There was in our Constitution, however, no special arrangement by which a particular case growing out of the Provincial law could be brought before this court. This was a court not for the Provinces, but a general Court of Appeal for Canada, and it could not be seen in this section how the word Canada was used. It was meant to embrace the entire Dominion; but only those subjects lying within certain limits. It no more applied to the existence of legislative functions of the Provinces, than if the Provinces and the powers which they possessed had no existence whatever. The preamble of the British North America Act declares that our union is to be a union on a Federal basis. As some hon. gentlemen had charitably accused him of too great attachment to American authority, he would not quote an American authority but a very high English authority—Mr. FREEMAN. It would be remembered that although the United States might serve as an example of Federal Government, it was not the only Federal Government in existence; and when our constitution said the union was to be on a Federal basis a construction must be put upon it that would render it consistent with that declaration. He thought they would admit it was a sound interpretation that wherein any fundamental law a general principle was laid down, and there were exceptions to that principle, the general principle should receive a large construction and the exceptions should be strictly construed. Mr. FREEMAN said:—

"Two requisites seem necessary to constitute a Federal Government in this its most perfect form. On the one hand each of the members of the Union must be wholly independent in those matters which concern each member only. On the other hand, all must be subject to a common power in those matters which concern the whole body of members collectively. Thus each member will fix for itself the laws of its criminial jurisprudence and even the details of its political constitution. And it will do this, not as a matter of privilege or concession from any higher power, but as a matter of absolute right, by virtue of its inherent powers as an indepent commonwealth. But in all matters which concern the general body, the sovereignity of the several members will cease. Each member is perfectly independent within its own sphere; but there is another sphere in which its independence, or rather its separate existence vanishes."

When he looked at the provisions of this Supreme Court Bill he found it stood in antagonism to this general principle. He considered the Federal principle of the union should be applied to the three departments of Govern ment, the legislative, the executive and the judicial; and he asked the House whether the Federal principle was properly applied to the judicial department by this Bill. They did not claim to legislate upon matters belonging to the Local Legislatures any more than they would admit the Local Legislatures to trespass upon their functions. But in this Bill the whole judicial department was treated as though this was a Legislative Union, for the Bill not only gave the Supreme Court appellate jurisdiction with regard to the due administration of the Dominion laws, but also appellate jurisdiction in matters of local concern. It was to have appellate jurisdiction over the smallest as well as the highest courts, as if this were a legislative and not a Federal union. As a matter of policy he thought this measure was highly objectionable. It might be laid down as a general principle that courts to be successful must be familiar with the working of the law itself. Every court is disposed to lay down

general principles and particularly to depend upon those who have decided cases before them. If a court were called upon to decide under a law, with the administration of which it was not familiar, it would as a consequence lay down general principles the bearing upon which it did not foresee. This would be precisely the position of this Appelate Court. It would be established at Ottawa, and composed of members of the bar, some of whom would have no pratical knowledge of the administration of the laws of the courts ; and before them would come lawyers who were in the same position. Then there was another objection as to which members of the bar could speak more accurately than he could, but he believed that Judges that had little to do would become rusty in their profession, and would be precisely in the same position as a retired lawyer. Those courts had ever been the most successful in the administration of the laws who had constantly to interpret, construe and give effect to them. Under this Bill cases would be taken from local Judges, who knew all about them, to Judges who did not know anything about the circumstances and principles of the administration of their laws ; and on this ground as a matter of politics and pratice, it was objectionable. Let him suppose an ejectment case taken in appeal from the Court of the Queen's Bench at Toronto to the Supreme Court at Ottawa. Would they be likely to be more competent in construing the law than the Ontario Judges. If they overturned the decision of the local courts, and if the country agreed with the view of the local courts, sympathy would be felt at once, and there would be an endeavor in Ontario to amend the law and to give it the construction that had been put upon it by the courts of their own Province. It was of very great importance to the country to have cheap and speedy notice. We should not put it into the power of the rich man to worry the poor man with constant appeals, but that would be done by this Bill. It would be better that there should be an occasional misinterpretation of the law than that its administration should be made slow and expensive. He thought they ought not to give appellate jurisdiction to this court with regard to local matters, because in doing so they would seriously interfere with the speedy administration of justice. He would beg to call the attention of the House to a few observations on this matter by a very high American authority during the discussion of the question of the establishment of their courts. Mr. WEBSTER said :—

" In the first place, it appears to me that such an intercourse as the Judges of the Supreme Court are enabled to have with the profession, and with the people, in their respective circuits, is itself an object of no inconsiderable importance. It naturally inspires respect and confidence, and it produces a reciprocal communication of information through, all the branches of the judicial department. This leads to a harmony of opinion and of action. The Supreme Court, by itself is in some measure insulated ; it has not frequent occasions of contract with the community. The bar that attends it is neither numerous nor regular in its attendance. The gentlemen who appear before it, in the character of counsel, come for the occasion, and depart with the occasion. The profession is occupied mainly in the objects which engage it in its own domestic forums ; it belongs to the States, and their tribunals furnish its constant and principal theatre. If the Judges of the Supreme Court, therefore, are wholly withdrawn from the circuits, it appears to me there is danger of leaving them without the means of useful intercourse with other judicial characters, with the profession of which they are members, and with the public. But, without pursuing these general reflections, I would say, in the second place, that I think it useful that Judges should see in practice the operation and effect of their own decisions. This will prevent theory from running too far, or refining too much. But further, Sir, I must take the liberty of saying, that, in regard to the judicial office, constancy of employment is of itself, in my judgment, a good and a great good. I appeal to the conviction of the whole profession, if, as a general rule, they do not find that those Judges who, decide most cases decide them best. Exercise strengthens and sharpens the faculties in this more than in almost any other employment. I would have the judicial office filled by him who is wholly a Judge, always a Judge, and nothing but a Judge. With proper seasons, of course, for recreation and repose, his serious thoughts should all be turned to his official duties ; he should be *omnis in hoc*. There is not, Sir, an entire revolution wrought in the mind of a professional man, by appointing him a Judge. He is still a lawyer ; and if he have but little to do as a Judge, he is, in effect, a lawyer out of practice. And how is it, Sir, with lawyers who are not Judges, and are yet out of practice ? Let the opinion and common practice of mankind decide this. If you require professional assistance in whatever relates to your reputation, your property or your family, do you go to him who is retired from the bar, and who has uninterrupted leisure to pursue his readings and reflections, or do you address yourself to him, on the contrary, who is in the midst of affairs, busy every day, and every hour in the day, with professional pursuits ? But I will not follow the topic further, nor dwell on this part of the case."

These were the opinions of a very high authority, which were in perfect accord with the views that have been expressed with regard to the policy of this law. He thought it would be a very great mistake for the Minister of Justice to persist in retaining in his Bill the provisions conferring upon this court appellate jurisdiction in local matters, and taking away from those daily engaged in the construing of such law, and who had been trained to it, and putting the cases under the final supervision of those who did not belong to that system, and who were utter strangers to it, and like lawyers out of practice.

Sir JOHN A. MACDONALD inquired if the hon. member for Bothwell held that if a Provincial Court decided *inter partes* in a local question, whether that question arose under a Dominion or a Provincial Statute, whether it should be based on a Provincial Statute.

Mr. MILLS said that if based upon a Dominion Statute there would be an appeal.

Mr. IRVING said the question was one that was surrounded by peculiarly complicated features, but still he thought it was one which should be discussed by practical men, who were endeavoring to give to the country such a measure as it required, though owing to its importance nobody supposed that a question which had engaged the attention of the Imperial Parliament for many years could be satisfactorily disposed of by us in one session, and even when it had finally passed this Parliament he thought experience would show that many changes and amendments would be necessary. The thought the result of many years' study of this question in England had been that if possible there should be one set of courts of primary jurisdiction and one of final and conclusive appellate jurisdiction. There were other features which to his mind which should be embraced in the plan and which might ultimately be attained, and which he thought were great points to have in view. One was to leave to to the Provinces their own courts of primary jurisdiction, and after that we should build up a Supreme Court, while the Provinces shonld be content to abandon and abolish their own courts of intermediate appeal. The two larger Provinces stood alike in regard to courts of intermediate appeal, but he believed the other Provinces had no such courts, and from those courts there was an ultimate appeal to the Privy Council. This will give suitors of all the Provinces the right to appeal to the Supreme Court here, but in the larger Provinces they could first go through their own courts of intermediate appeal, giving them an additional Court of Appeal. He considered it a fatal feature in the Bill, that it did not compel the courts of any of the Provinces to come to this court but left it optional with them, or to go direct to England—a course which he thought would not be satisfactory to the people. It would simply be making additional expense by giving an additional Court of Appeal if it were not made compulsory to come to that Court. Then, with respect to the extent of business. Suppose that the Supreme Court of Appeal could attract to it the appellate business, wholly irrespective of the intermediate Courts of Appeal, it still would not have sufficient business to occupy the whole year. For the past four or five years the average number of days during which the Court of Error and Appeal in Ontario had been occupied was twenty. In some years the number was fifteen, in others as high as thirty-one or thirty-two, but the average, including days on which the court sat to gsve judgement, would not exceed twenty days. In Quebec he was told by the hon. member for Jacques Cartier that the average sittings of the Appeal Court was forty-five days—so that the whole appeal business of those two Provinces would not occupy more than sixty-five days. He did not now refer to the other Provinces whose business was necessarily small. But the Supreme Court could not draw that business. The only business which we expect to find attracted to this court was that which at present goes to the Privy Council in England which was a mere bagatelle. In Ontario during the last four or five years only two cases had been carried to England and looking back on the last twenty-five years the hon. member for Cardwell would not be able to count more than eight or ten appeals to England from Ontario. In the Provinces of New Brunswick and Nova Scotia, taking the evidence given by the member for St. John there was scarcely ever an appeal to England. In the Province of Quebec he admitted that the case was otherwise, but was the sole object of creating a Supreme Court to hear the few

cases which would otherwise be sent to England? If so the business would be very trifling. And we did not even yet know whether we would be able to catch all the business that now crosses the Atlantic, for it would be almost as easy to go by steam vessel over to England as to come to Ottawa. Then it was proposed to establish a court with six Judges who were all to reside at Ottawa. He would not speak further as to the amount of work that would have to be transacted, he would only say that the extract read by the hon. member for Bothwell represented very clearly his ideas on the subject. He could not, however, imagine a more dismal spectacle than would be afforded by six melancholy men living in this city endeavoring to catch an appeal case, which, but for this Act, would have gone to England. They would become rusty and relapse perhaps into a state of barbarism; they would lose their professional knowledge and the result would be that the court would be such a one as not to command the confidence of the bar, or respect of the people generally. He had now given his objections to the jurisdiction of the court as a Court of Appeal, and he would now venture to point out his objections to the constitution of the court. He agreed partially with the remarks of the hon. member for Bothwell with respect to the necessity of the Judges being in constant intercourse with the bar—we cannot have a bench unless we have a bar. The hon. member for Cardwell and other leading members of the Ontario bar, the hon. member for Jacques-Cartier, the hon. member for St. John and others, would come to Ottawa by one train, argue their cases, and leave by the next train. The bench would not be known to the bar generally, and it was absurd to suppose that the members of the bar would congregate here. The leading members of the bar were to be found at Montreal, Toronto, Halifax and St. John; and it was impossible to attract men to towns where there is no businsss. While the hon. member for Bothwell pointed out objections to the Bill, he did not offer any solution of the difficulty. He (Mr. IRVING) did not know whether he would be able satisfactorily to do so, but he would make the attempt, as the hon. Minister of Justice had invited the co-operation of hon. members with a view to obtain a perfect measure. His view was that, as we had already courts which were doing the business of the country very efficiently, we should to some extent, auxiliarise that judicial strength in order to launch the Supreme Court. We were all very much in the habit of praising our own possessions; but he believed it was conceded that the bench of Upper Canada, running over the last thirty or forty years, had been an extremely successful bench, one originated almost by a handful of men who by great ability, assiduity, and great knowledge of their profession had earned for the bench of Ontario a character and weight which it would take many years to efface, even should the bench fall into weaker hands, which he did not anticipate. Even though the hon. members for Quebec did not speak always in terms of eulogy in regard to their bench, still he thought he had sufficient knowledge of it to say that there are men on that bench who would be an ornament to any bench of any country, and whose services the Dominion might well enlist on an occasion of this kind. It would be prudent to limit the number of Judges appointed to one or two, who would be Judges of the Supreme Court only, and certain Judges of other Provinces should be utilized in assisting these Supreme Court Judges. He would not particularise the Judges of any particular Province; but in order to deal with the question in a statesmanlike manner, when there was no business to begin with for the Supreme Court to transact, he thought the Government ought to take into it all the judicial talent and ability of the country, even if it could only be done in a tentative way for a few years. If that idea should meet with the approval of the House, he had no doubt the Minister of Justice could elaborate a plan which would prove acceptable to the House generally. He objected to jurisdiction being given to a Court of Exchequer. There was no necessity for it, no quantity of business likely to be brought before it; and as the Provincial Courts already discharge those duties, it was desirable that the Provincial Courts should be strengthened by making as much of them as possible, by confirming to them the jurisdiction that attaches to them, and not remove from them any part of the business, such as Excise, Customs, or Post Office. He objected to the Exchequer Court—the name was an objectionable

one—because it would introduce an additional practice, and the tendency of modern practice was to break down the differences of practices, and, if possible, have a uniform practice in the country. If, therefore, it was the policy of Parliament to strengthen the courts of primary jurisdiction, and in the strongest way build up a Supreme Court, then we may, by winning the confidence of the Provinces, induce them to abolish their intermediate Courts of Appeal. His intention was to prepare some amendments which he would move when the House was in Committee on the Bill, and they would include amendments with respect to appeals to England, the Constitution of the Court by auxiliarising Provincial Judges, and with respect to abolishing the proposed Exchequer jurisdiction. With respect to appeals to England, he would propose to abolish the rights of Provincial Courts to give an appeal to England.

Sir JOHN MACDONALD — You cannot do that.

Mr. IRVING said he was prepared to discuss the point. He would compel the parties appealing from the Provincial Courts to go before the Supreme Court. He proposed to declare that the judgment of that Supreme Court would be final; that there should be no appeal to any Statutory Court in England, that was any court having an appelate jurisdiction by statute, which he thought the Dominion Parliament had power to enact, but saving the prerogative right of the Sovereign to hear any appeal to Her in Council, because he had found there was a distinction between an appeal to the Sovereign in Council and an appeal to the Appeal Court in the sense of the Judical Committee of the Privy Council. He regretted at being compelled to offer those views which differed so widely from the Government Bill as introduced, but the Government were very strong with a majority of seventy or eighty in the House. He believed the hon. member for Kingston was about to support the Bill, and therefore the Government was in no danger from any remark he (Mr. IRVING) might make. It had been a very dreary session with little for the members of the back benches to do, and therefore he thought a little dressing would do the Government no harm.

Sir JOHN MACDONALD—So my hon. friend would not oppose the Bill if he thought he had any chance of succeeding.

Mr. CURRIER was gratified to learn from the hon. gentleman who had just spoken that the six Judges to be appointed would not actually relapse into barbarism by coming in contact with the society of Ottawa. It would be something new for the people of this part of the country to hear that this city was a place of no business whatever. Ottawa had as much business as Quebec, Toronto or Kingston.

The Bill was read a second time.

Hon. Mr. FOURNIER moved that the Bill be referred to a Committee of the Whole, to-morrow.

Mr. MOSS hoped there would be further discussion of the very important questions raised by the hon. member for Montmagny and Bothwell. It was true the late Minister of Justice and the present one had concurred in the opinion that there was no doubt of the jurisdiction of this Parliament to establish an appellate court which should have power to revise the proceedings of Provincial Courts, even in matters relating to the operation of local law, or founded upon Provincial Statutes. The question appeared to him to be one of very grave doubt, one which should be discussed fully and one which hon. gentlemen, both professional and lay, were entitled to hear the views of those who had maturely considered the question, before being asked to vote upon it. The first question raised by the hon. member for Montmagny and Bothwell was whether or not there was power in this Parliament to establish a court which should have jurisdiction to revise or review the proceedings of Provincial Courts upon questions of purely local law, and the second question was whether or not, if the power existed, it was expedient at present to invoke its exercise. He agreed entirely with the general principles that had been enunciated by both hon. gentlemen with regard to the distribution of powers among the several branches of the Federated Government. There could be no question that all sound principle pointed to the propriety of Provincial Courts being the final tribunals to determine questions of purely local law. All considerations of convenience pointed to that conclusion. The hon. member for Bothwell had pointed

out in a very strong way some of the inconveniences that might result from the adoption of different courts. This Bill itself indicated very strongly inconveniences that might arise. For instance, an appeal is given in actions of ejectment under this Act. Now, in an action of ejectment, the rights of parties in the vast majority of cases—in all cases, he might say, except where the rights of the Crown were involved—must be governed by the local law, and it was hardly to be assumed that a Court of Appeal for the Dominion, however carefully constituted, would be composed of Judges who would have the same experience of the laws relating to a particular Province that the Judges of the highest court of that Province must be presumed to possess. Then, as another inconvenience that might arise if this view of the law was to prevail, it was to be observed that appeal was given in the case of decisions of Provincial courts respecting municipal by-laws. Whether a Provincial court quashes or upholds a municipal by-law, its decision is subject to appeal to this court. That opens the door to an anomaly referred to by the hon. member for Bothwell. The Legislature of a Province establishes a municipal system. It confers certain powers upon the municipalities. In the presumed exercise of these powers, a municipality passes a certain enactment. The court of the Province determines that it is beyond the power of the municipality, and accordingly quashes the by-law. An appeal is taken to the court at Ottawa, and that court, constituted under the authority of the Dominion, determines that the decision of the Provincial court was erroneous, and that the action of the municipality was within the scope of its authority. What is the consequence? The Legislature of the Province takes up the question and considers whether or not it be in the interests of the Province that the municipality should or should not have such power, and the anomaly is presented of the Legislature of a Province immediately proceeding to reverse a rule laid down by the Supreme Court. Nay, he did not know anything that would necessarilly prevent them passing a law settling the construction of the statute. These were very serious anomalies, but, after all, their existence did not go to the root of the question. While he was pressed by these considerations and by the arguments of the hon. member for Bothwell, and felt the full force of the objections that hon. gentleman had brought forward to the establishment of such a system, he (Mr. Moss) felt compelled to ask himself one question in endeavoring to form an opinion. That one question must be, after all, whether in the British North America Act the constitution of the courts was provided for in such wide terms that whatever might be these anomalies and inconveniences, this Legislature had the power to give the large jurisdiction claimed. In other words, the single question, after all, must be not what would have been the best form in which to have placed this act, but what was the true interpretation of the British North America Act upon this point. Now, he confessed, he entertained considerable doubt upon this question, but the best opinion he could form was adverse to that so ably presented by the hon. member for Bothwell. However inconvenient it might be, it would be found in this statute that the Imperial Legislature had given to the Legislature of the Dominion power to establish a Court of Appeal which should have jurisdiction to revise the decisions of all the Provincial Courts. He could in no other way read all the sections of the Act. On a former occasion he had endeavored to point out that our Confederation was not precisely similar to the United States system. That consideration had some bearing on the question now before the House. Under our system larger powers were existent in the various branches of the Dominion Government than were existent in the United States Government. He need not repeat to the House what he said on that occasion, but it would be manifest that it had a bearing upon the question whether or not the British North America Act should have been intended to give to the Court of Appeal to be constituted under that Act, jurisdiction over Provincial Courts. When this Act was passed there were various Provincial Courts in existence, and the Imperial Legislature was providing for the administration of justice generally. It proceeded to distribute the legislative powers. It first specified the powers which should be possessed by

the Parliament of Canada. The Imperial Parliament, as he had pointed out, did not choose to limit the powers of this Parliament in precisely the same way as the powers of Congress had been limited by the Constitution of the United States. The 101st section of the British North America Act, on which so much stress had been laid by the hon. member for Bothwell, proceeded to enact "the Parliament of Canada may, notwithstanding anything in this Act," that was to say, notwithstanding any powers which might have previously been given to the Provincial Legislature or Provincial Judicature, "from time to time to provide, maintain and organize a General Court of Appeal for Canada." It was impossible to give any meaning to the word general at all, unless it were applied to a court having jurisdiction over the decisions of the courts of the respective Provinces, no matter whether the cases in which appeals were brought involved questions of Provincial or Dominion law. Much stress had been laid, as might naturally have been expected, upon the words of the constitution of the United States. The hon. member for Bothwell pointed out that the powers of the Supreme Court of the United States to revise the decisions of the State Courts, were restricted to cases where the law of the United States was brought into question. It was quite clear then, that the Supreme Court had no right to review the decisions of State Courts upon questions relating purely to State law, but then, he apprehended, the reason for that was to be found in the constitution itself. The hon. member did not read the whole of the clause which determined the powers of the Supreme Court. It was quite true that the article relating to the constitution and powers of the Courts of the United States began in a manner not unlike the wording of the 101st section of the British North America Act. "The judicial power shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish." The argument derived from these words was that inasmuch as the Constitution of the United States conferred no power upon the Supreme Court to review the decisions of the State Courts on matters of State law, therefore, no such power could be found in the 101st section in the Court of Appeal that might be constituted here. But the answer to that argument was to be found in the 2nd section of the 3rd article. That section proceeded to define with strictness and precision the extent of the powers of the Supreme Court. Accordingly in determining what the powers of that court were to be, the Judges were not compelled to infer to what extent their judicial powers were to be exercised. An analogy, therefore, cannot be safely drawn between the words of the United States Constitution and the 101st section of the British North America Act.

Mr. MILLS explained that he referred to the section for the purpose of showing that the word United States was used there the same as the word Canada was used in the 101st section of the British North America Act.

Mr. MOSS said that the arguments were of no assistance to us. However he found it might be, it was to be observed that there unquestionably must be an appeal to the Supreme Court from the Provincial Courts in no case involving a question of the construction of a Dominion Statute or any case involving a construction of the British North America Act that was not found in the Act which did not contain any distinction between the two classes of cases.

Mr. MILLS — You find the word Canada.

Mr. MOSS said no conclusion could be drawn from the use of that word. He found even those who contended most strenuously for the narrow interpretation, admitted there was a class of cases in which an appeal could be brought. He found no distinction as to these cases. The section declared that the Court of Appeal should be general, but he failed to see if there was to be an appeal at all from a Provincial Court how that appeal was not to include every conceivable case.

It being six o'clock the SPEAKER left chair.

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AFTER RECESS.

Mr. MOSS resumed the debate on the Supreme Court Bill. The question, he said was of such interest that he had ventured to address the House at greater

length than he should otherwise have cared to do. When hon. gentleman considered that it was proposed to establish a tribunal which would have a power under certain circumstances, paramount to that exercised by the House of Commons itself, they might well turn to the question their best attention. If a question arose whether this Legislature had exceeded its powers, conferred by the British North American Act, in passing any enactment, the Supreme Court would be able to determine the controversy finally, virtually therefore, the Supreme Court could overrule the decisions of this Legislature. Many members were of opinion that we should be exceeding our powers in establishing such a court, among them the hon. member for Bothwell. If the hon. member and those who thought with him were in the right, what would be the consequence, a case might be tried in one of the Provincial Courts, involving purely a Provincial point, and a decision might be had from the court of last resort in the Province. The Supreme Court of the Dominion might reverse that decision. The case might then be taken before the Judicial Committee of the Privy Council and they might determine that this Legislature had no power to create a court exercising such authority. The mere suggestion that we might be placed in such a position should make us pause before we gave Parliamentary assent to a measure creating the court. He thought it would not be going too far to say that still more disagreeable consequences would arise if the Bill were passed and the opinion of the hon. member for Bothwell should turn out to be well founded. In that case it would be in the power of the Court of Queen's Bench in either of the Provinces to prohibit the Supreme Court from taking cognizance of such cases. It could not be denied that any court before which a suitor could come, complaining that his rights had been infringed by a certain Act, was bound to determine whether or not the statute under which the right was claimed was constitutional or not. It did not matter how inferior that court might be, or how inferior its jurisdiction, it must determine the question. If, therefore, a person who had succeeded in a suit in a Provincial Court upon a purely Provincial point of law, applied to the Court of Queen's Bench in Ontario to prevent an appeal being entertained by the Supreme Court, on the ground that the Dominion Legislature had no power to establish a court, having reviewed every case involving questions of purely Provincial law, the Court of Queen's Bench, if it agreed in that opinion, would be obliged to prohibit the Supreme Court from adjudicating in such a case. His hon. friend from Bothwell, after dealing with the first part of the 101st section of the British North American Act, laid great stress upon the latter part of it relating to the establishment of a Court of Appeal, and argued that the Imperial Legislature intended that such a court should have reference only to the laws of Canada. If the rendering of that portion of the clause by his hon. friend was correct, there would be no doubt on the subject, but it was from the wording of the language of this Act that he (Mr. Moss) had been compelled to come to the conclusion that it authorized this Legislature to establish a Supreme Court, which should have jurisdiction over and revise the decisions of the Provincial Courts, even upon questions of Provincial law. But there still remained the question, even if it were satisfactorily settled that this Legislature had the power to establish such a court—whether such a course would in the meantime be expedient. Arguments had been pressed upon the House attempting to show that it was not expedient, even if the right existed, to exercise it at present. As he understood many of the gentlemen from Quebec thought that the laws there required that those who administered them should have a very special training. They argued that it was not sufficient that the Judges should have a training in general jurisprudence—that it was not enough that they should be familiar with the general principles of civil law and the law relating to real property. They seemed to be under the apprehension that but two of those gentlemen at most could have a special training in the law of that Province, and they argued that it was impossible to expect the majority to arrive at decisions which would be perfectly satisfactory. The objection in his opinion was not insuperable. The Judges would be guided very much by the opinions of their brethren, who had received that special training, and in the course of time they would doubtless all acquire the necessary knowledge. The system of law in

that Province depended largely upon the provisions of a written code, and he contended that on that account also there need be no great apprehension entertained by gentlemen from that Province with regard to the competency of the Judges to deal satisfactorily with all questions affecting the rights of property in Quebec. The Province of Ontario would labor under a greater difficulty than they. There had recently been established in that Province a Court of Appeal. For years that had labored under a difficulty in regard to the constitution of the court which had exercised final appellate jurisdiction, which consisted of the Judges of the three courts in existence in the Province, or was actually the case in practice, a *quorum* of them It was not the special business of these Judges to attend to matters in appeal. They were naturally more concerned in the business of their own courts, and it was often extremely difficult to get cases satisfactorily dealt with in appeal. A court was gradually established whose jurisdiction was primarily appealed, although the Judges might assist their bretheren in the other courts in the discharge of their duties. It was believed that that court would be found to work satisfactorily, and he could not help entertaining serious doubts as to whether it was possible to establish another Court of Appeal, which would be equally efficient. For a time, at any rate, that difficulty might exist. But he could not entirely agree with the hon. member for Bothwell, that it was not of importance to the people of the Dominion that uniformity of decision in legal questions should be secured. It was not a question of vital importance to our well-being; we would undoubtedly get along if the highest court of New Brunswick decided one way on a question of Provincial law, while the highest court in Ontario arrived at quite a different conclusion on a similar question under the Provincial laws of Ontario; but even uniformity was a good thing in that matter. It was desirable that where the highest Provincial Courts had decided in similar cases, the same rule should prevail throughout the Dominion. Every one could judge whether it was desirable to incur increased expenditure at the present time for the establishment of a Supreme Court. He could not speak for other Provinces; but, speaking for Ontario, he did not think it was necessary, in order to determine the controversies between the people of that Province, that this additional court shall now be adopted. There were one or two other points connected with the Bill that seemed to call for passing notice. Some of the questions might be dealt with in Committee; if so, the slightest allusion to them would suffice. The power which was proposed to give to the court to deal with Constitutional matters, would be admitted to be of the greatest importance. In the 55th and succeeding sections it was proposed the GOVERNOR GENERAL, with the advice of his Council, of course, have power to lay special cases before the Supreme Court, and to enable the Supreme Court to determine on the constitutionality of any Act or Bill passed or brought into this Parliament or into the Legislatures of any of the Provinces. It was proposed to give the court power to decide on the constitutionality not only of Bills proposed but of Acts which had been actually passed, and that this power might be set in motion upon the application of the GOVERNOR GENERAL by the advice of the Privy Council. By succeeding sections still wider powers were given, and he confessed he was startled when he first saw the Act on observing the wide extent of that power. The GOVERNOR GENERAL in Council was authorized to refer to the court for hearing or consideration certain matters, and this one section says: "and such other matters whatsoever he may think fit." That appeared to be going to an extreme length. Those provisions seemed to enable the GOVERNOR GENERAL in Council to obtain that advice from the Supreme Court which he ought under our system of Government to obtain from his responsible advisers. But that he found was not unprecedented. In England, under the Act, enlarging the powers of the Privy Council extending the functions of that tribunal, power was given to the Sovereign to refer to the Judical Committee of the Privy Council for hearing or consideration any such matters whatsoever as HER MAJESTY might think fit.

Sir JOHN MACDONALD called attention to a fact that a provision, identical in language, to that referred to by the hon. member, was contained in the Supreme Court Bill of the late Government.

Mr. MOSS said that the provision had not been deemed incompatible with the working of responsible Government in the Mother Country; and it was an argument, *quantum valeat*, in favor of the provision that it was contained in the measure introduced by the right hon. member for Kingston. He confessed he had not been impressed by the arguments addressed to the House against giving the proposed court any original jurisdiction. He did not see any reason why exchequer business shonld not be assigned to the court as proposed in the Bill. He agreed with hon. members who had spoken during the debate, that the proposed court would not have too much to do. One objection made was that the Bill would cause a change in the practice prevailing in the different Provinces, and no lawyer liked to change the practice. But there was a tangible advantage to be gained in securing a similarity of practice in the exchequer businest. That was a class of business that peculiarly pertained to the Dominion, it was a branch in which the principles of the law were the same in all the Provinces, and, therefore it was desirable to secure uniformity of practice which could be best obtained by transferring this branch of business to the court which would be known as the Court of Exchequer. If after this debate the House should determine that it had power to pass the Bill, and that having the power, it was advisable to proceed with the enactment and constitute the court, he was satisfied that the best efforts of every hon. member would be directed to making the measure as perfect as possible.

Mr. WILKES said that, though a layman, he need not apologise for offering any remarks because the question of the creation of a Supreme Court was one not necessarily Ministerial because it had been proposed by the late Government, and was therefore a subject open to debate by hon. members on both sides of the House. He remembered the remark of a witty gentleman who said, that we, in Canada had one good court, the Division Court, from which there was no appeal. When the Government proposed to establish courts of law in new Provinces and territories they had his hearty support, because it was necessary that the people throughout the Dominion should be protected. The public regarded, however, with different feelings any proposal to facilitate the extension of litigation on any parties who had already obtained a decision on their cases from our highest legal tribunals—tribunals which stood among the highest not only on this continent but in the world. Therefore there was not much public sympathy for measures tending to promoe additional litigation. The hon. member for Bothwell in the course of his remarks thought that when "Canada" was used in the Confederation Act it did not include the Provinces of Canada. He confessed that it appeared to him that Canada included all within the territory, just as much as Ontario included every county in it, and consequently he could not see the force of that reason, because if the Parliament of Canada passed any Act that Act most certainly applied to all parts of the country.

Mr. MILLS—Do the laws of Canada mean the laws of the Provinces on the same principle.

Mr. WILKES said he did not draw that inferance, but the hon. member would find from the language of the Act that it did not say the laws of the Provinces but of the Parliament of Canada. As he read the Confederation Act, it provided that we might constitute, maintain and organize a Supreme Court; but he saw no provision in it whereby we could compel litigants to avail themselves of the court after the Dominion had provided it. We would then be in the same position as that of the famous King who provided a banquet and on inviting the guests they all, with one consent, began to make excuses. One of the advantages we possessed as British Colonists was this that, in common with our fellow subjects in the Mother Country, we possessed an inherent right of appeal to the SOVEREIGN. There was only one mode by which that right could be denied to us as colonists, or to HER MAJESTY'S subjects residing in Great Britain, viz:—by the co-operation of the House of Parliament and by the Colonial Legislatures. It was, therefore, within the power of the Dominion Parliament by legislation to take away the right of appeal to the SOVEREIGN from her subjects in Canada. Now, it might be said that right of appeal would remain notwithstanding the creation of the Supreme Court, but he submitted that the tendency of that court would be, in having a great deal of business before it, to encroach on

that right of appeal, and before many years were passed some Minister of the Crown might come down to Parliament and propose legislation which would deprive the people of that privilege of appeal to the British Crown. In the United States they had established a Supreme Court, and they had established one from great necessity, because they foolishly committed national suicide by their severance from Great Britain. No nation ever lost so magnificent an opportunity of developing constitutional governments as the early colonies—now called the United States. What he desired to point out especially, however, was this—that legislation of this kind, by whichever side of the House proposed, would tend considerably in that direction, and if it were proclaimed to the millions who would, before fifty years had elapsed, fill up this country, that the right of appeal to the SOVEREIGN had been taken away one of those links which bound Canada to the Mother Country would be broken. The establishment of a Supreme Court would entail a considerable expense upon the country, at least from $60,000 to $75,000 annually when the salaries of the Judges and other expenses have been provided for. He suggested to the Government whether it would not be desirable to retain this Supreme Court Bill for the adornment of future speeches from the Throne, which purpose it had served for many years.

Hon. J. H. CAMERON said the hon. member for Toronto Centre might as well ask the Government if they would not allow the Insolvency and the Insurance Bill to remain for the adornment of speeches from the Throne. There were some people, however, who would like to see the judicature of the Dominion placed on what they believed to be a proper basis. Every hon. member knew that the difficulties raised by the hon. member for Centre Toronto were difficulties existing only in his own imagination, and not such as were likely to interfere in any way with the Government Bill, for by an Imperial Act, passed in the 7th and 8th years of Queen VICTORIA, the right of appeal was expressly reserved to the Colonies. He regretted that the Ministers of Justice in the present and the last Government considered they had power to pass an Act of this character. When the hon. member for Bothwell discussed any question of a constitutional character, he always gave to it an amount of consideration and knowledge, and learning and judgment, that entitled him to the respect of the House: but he (Mr. CAMERON) could not help thinking that his hon. friend had gone astray on this question when he made the admission, fatal to his argument, that there would be an appeal from any judgment given by a Provincial Court on a law passed by the Dominion. By that admission he gave up his whole case, for he had in some way or other mingled up matters connected with the Federal system of the United States with the Federal constitution of this country, and did not see clearly the important differences there were and the great distinction there was in the two systems, and which had been pointed out by the late and present Ministers of Justice in offering reasons to this House why this House had power to pass this measure. As he admitted one part, he could not show any ground that would justify the other part, and the whole matter was placed in precisely the same position as it was in this Bill. It was a matter of the greatest possible importance; for questions would arise not merely as to the constitutionality of an Act of the Local Legislature, but as to the constitutionality of Acts passed by this Parliament. These questions would come up, and had come up already before various tribunals. We had at this very moment two Supreme Courts of the Dominion in two different Provinces, giving contradictory decisions upon exactly the same subject. The Supreme Court of New Brunswick had decided in one way, and the Court of Queen's Bench in Ontario had decided in another way. We had the knowledge that at this moment any jurisdiction, never mind what that jurisdiction might be, was capable of deciding upon a law, whether that law is in the judgment of that jurisdiction, a magistrate's court, a higher court, or *the* highest court, a matter within the jurisdiction of the Province or not, and we ought to have within ourselves some means of disposing of such questions, that means as far as the Government had been able to take it had been adopted in accordance with the way in which they had adopted the English Statute 2 and 3, William IV. We believe that although that Act was passed so long ago as that period it had not been brought into operation until it had been brought

into operation for a statute passed by the Legislature of Canada. The Legislature of Canada had passed an Act twenty years ago which was reserved for the consideration of HER MAJESTY. When it came before the Privy Council the first idea was to refuse the Royal assent, and it was kept for a long time in abeyance. The Colonial Minister, and the Attorney General and Solicitor General thought that HER MAJESTY could not give her assent, and the reason given was that any Minister who might advise HER MAJESTY to assent would be liable to impeachment because it interfered with the prerogative of the Crown. After a great deal of difficulty had been experienced this Act of William IV. was discovered, and the question was referred to the judicial Committee, who after hearing the arguments of the law officers of the Crown decided that HER MAJESTY might give her assent to the Act without there being any danger of impeachment. The Act received HER MAJESTY'S assent. and was now the law of the land in this country as well, and large bodies of people acted under it every day. We had the best possible proof in the Judicial Committee of the Privy Council acting in the same way as the Supreme Court would, as exactly the same words were placed in this Statute. By this clause the QUEEN could send any question to the Judicial Committee for consideration and report. A difficulty arose in reference to the Privy Council's judgment being given upon matters that had gone through the Courts of Error and Appeal; a very serious trouble arose upon that point. The law still stood upon the Statute Book, and he had no doubt it would be exercised just as fully as it had been before. The matter now before the House was one upon which many persons had entertained grave doubts, and he could not help thinking that it would be a most advisable thing, in view of the entire settlement of these doubts, so that there could be no uncertainty in the future that further power should be invoked from the Imperial Parliament, either before or immediately after passing the Act. It would be a very serious difficulty in the way of the administration of justice and in carrying out our law, if any considerable portion of the people entertained any reasonable doubt as to the propriety or authority of Parliament in passing an Act of so important a character as that which might affect the title of property and the character and lives of so large a number of them. It should be a matter for the serious consideration of the Government whether it would not be advisable that further steps be taken, in order that any doubts that might exist should be clearly set at rest.

Hon. Mr. FOURNIER said he had felt the force of the conviction entertained by the hon. leader of the Opposition and by his (Mr. FOURNIER'S) predecessor in office upon the question of jurisdiction. Were there any doubts as to our well-defined power to create such a court he would be the first to destroy the measure, but it seemed to him that notwithstanding the arguments of the hon. members for Bothwell and Montmagny that it was not possible to have any doubts, especially after reading article 101 of the British North America Act, which was sufficient to convince any one that we had the means for the creation of a general Court of Appeal for all the Provinces. The hon. member for Bothwell had made a comparison between our Act and the Constitution of the United States, but the hon. gentleman was too apt to forget the many very important differences between our Constitution and that of the United States. In the United States the principle was that the States were independent and sovereign, whilst here the Provinces were subordinate powers ; and general and special powers that were not given to the Provinces, resided in the Federal Government. The 101st clause stated that the Parliament of Canada may notwithstanding anything in this Act, from time to time provide for the constitution, maintenance and organization of a general Court of Appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada. It seemed to him that this clause could not be read otherwise than meaning a Court of Appeal from the existing courts of the time ; and it would be a Court of Appeal for local laws as well as for Dominion laws. If hon. gentlemen would refer to the Confederation debates they would not have the least doubt in the mind as to the meaning of the article. The 34th clause of the Address to the QUEEN called for the establishment of a general Court of Appeal on

the Confederated Provinces. There was no mention of Canada as distinguished from the Provinces; and he considered the right meaning was that the court should have jurisdiction over the courts of the Provinces. The speech of the hon. member for Kingston at the Quebec Conference clearly defined the meaning of the clause, and the gentlemen all voted for it, knowing that in spite of the difference between the laws of Quebec and the other Provinces, we had the power of establishing a Court of Appeal having jurisdiction over their own special laws. At that conference Sir JOHN A. MACDONALD said: —"There are many arguments for and against the establishment of such a court, but it was thought wise and expedient to put into the constitution a power of the General Legislature, that, if after full consideration they think it advisable to establish a general Court of Appeal from all the Superior Courts of all the Provinces, they may do so." That was the interpretation at the very moment the article was proposed, and it was considered sufficiently satisfactory to every one, and that it was the intention of Parliament that this court would apply to their own laws. But he believed it would take away every possible doubt as to the meaning of the clause by giving the views of Sir GEORGE CARTIER expressed in the same debate:—"Accordingly, when we have lived some years under the Federal *regime*, the urgent need of such a Court of Appeal with jurisdiction in such matters will be felt, and, if it is created, it will be fit that its jurisdiction should extend to civil causes which might arise in the several Confederate Provinces, because it will necessarily be composed of the most eminent Judges in the different Provinces, of the jurists whose reputation stands highest, of men, in short, profoundly skilled in the jurisprudence of each of the Provinces which they will respectively represent. Well, if this court is called upon, for instance, to give final judgment on a judgment rendered by a Lower Canada court, there will be among the Judges on the bench, men perfectly versed in the knowledge of the laws of that section of the Confederation, will be able to give the benefits of their lights to the other Judges sitting with them. I must observe to my hon. friend the member for Montmorency, that he disparages the Civil Law of Lower Canada in the estimates he makes of it; but he need be under no uneasiness on that head. He should not forget that if, at this day, the laws of Lower Canada are so remarkably well understood in HER MAJESTY'S Privy Council, it is because the code of equity, which is a subject of deep study and familiar knowledge among the members of the Council, is based on Roman law, as our own code is. All the eminent Judges, whether in England, in the Maritime Provinces or in Upper Canada, are profoundly versed in those principles of equity, which are identical with those of our Civil Code. Now, as to my own personal opinion, respecting the creation of that tribunal, I think that it is important not to establish it until a certain number of years shall have elapsed from the establishment of Confederation, and to make it consist of Judges from the several Provinces; for this court would have to give final judgement in causes pronounced upon in the courts of all the sections. Neither can I tell what functions and powers might be assigned to it by the Act establishing it. Time alone can tell us that; but I do hold, and the spirit of the conference at Quebec indicated, that the appeal to the judical committee of HER MAJESTY'S Privy Council must always exist, even if the court in question is established. He thought this would answer all the objections raised on this ground. Now, he believed that when these two opinions expressed, at the time the article was framed so clearly and explicitly, declaring what it meant, were on record, there could be no reasonable doubt on the subject to-day. The hon. member for Bothwell had argued that there was very little necessity for having uniformity in jurisprudence; that it mattered not whether a case was decided one way in one Province and a different way in another Province. The hon. gentleman forgot that the laws of all the Provinces except Quebec were almost similar. All over the Dominion we had the same criminal and commercial laws. In Quebec the commercial laws were based principally upon the English law, so that the laws on most subjects were similar, and it was in the interest of the public that there should be but one interpretation of them, which would be uniform. The hon. gentleman

should also bear in mind that there was a special clause in our constitution for the assimilation of the laws of the Provinces. He (Mr. FOURNIER) referred to this to show that the whole spirit of the Confederation Act was to give the Court of Appeal jurisdiction over Provincial as well as Dominion laws. These were the most important objections made to the Bill. The other objections were to the details of the measure. The hon. member for St. John had objected to the procedure as being too long. That had been modified considerably. Writs of error and appeal had been dispensed with. All that was necessary was to furnish security, but security must always be given. The hon. gentleman had also objected to special jurisdiction on account of the inconvenience that would arise from it. It was true there might, in some cases, be inconvenience, but one decision would establish a precedent for hundreds which were arising in the various Provinces. The law should be the same all over the Dominion and interpreted in the same way. If we could arrive by summary proceedings at a means of settling this inconvenience we should do so. He believed the means proposed in the Bill would be found satisfactory. One of the gravest objections to this Bill was that it added another court to the tribunals of the country. There were, however, reasons of the highest order for the creation of this court. Every day this Government was called upon to interfere in the legislation of the Provinces. Not a day passed without his being obliged to read over statutes of the different Provinces and pass opinions upon their constitutionality and legality. There was now an enormous mass of legislation which had been reported as *ultra vires* and unconstitutional. All these were on the statute books and would cause innumerable difficulties in the future. Parties acted in accordance with the provisions of Acts which might in future be declared void by the court when cases arising out of them were brought to trial. Such uncertainty as to what was, or what was not, the law should not prevail in our confederation. Were there only this in its favor, it would be a sufficient ground for passing this law. If we had an independent, neutral and impartial court of this kind, it would prevent difficulties with the Provinces, some of which infringed on the rights of the Dominion, as the Dominion sometimes interfered with their rights. Under the present system HIS EXCELLENCY had the power to disallow the law, but could not do so without the advice of his council, whose advice was based on the opinion of law officers of the Department of Justice. The result, as might be expected, was not satisfactory. All the hon. gentleman, who had spoken on this subject, had lost sight of the importance of this Bill in that respect. He believed the Provinces would accept the court as suggested, because they entertained the same desire as this Government, to refer all cases of this kind to a tribunal whose decisions would be accepted by all parties. With reference to the objection urged by the hon. member for Montmagny, he (Mr. FOURNIER) admitted that under this Bill Quebec would not have as many Judges, as it was desirable she should. Still, the position of that Province, as the hon. gentleman had admitted, would be better under this law than by reference to the Privy Council of England. He foresaw that at a day not distant, the appeal to the Privy Council would end, and he would not be so anxious to have this measure passed. After January next, instead of an appeal to the foot of the Throne, as it was termed, we could only appeal to a Statutory Court in England. The hon. member for St. John had objected to the division of jurisdiction. He (Mr. FOURINER) was not favorable to it either. He believed it was just as well to give original jurisdiction to every court and give appelate jurisdiction to a larger number of courts. This system was adopted in the new Supreme Judicature Court of England. One branch of the court had original jurisdiction, and the other appellate jurisdiction. There was a great public interest in settling this question which had been so many years before the public, and every day they felt more and more the need of such a court.

Mr. BABY asked if the establishment of this court would have the effect of assimilating the laws of Quebec to the laws of the other Provinces.

Hon. Mr. FOURINER said he had merely pointed to the fact that there were provisions in the Confederation Act for

the assimilation of the laws of all the Provinces except Quebec. The motion was carried.

QUEBEC TRINITY HOUSE.

The House went into Committee of the Whole to consider certain resolutions with respect to the powers and authorities of the Trinity House of Quebec. The resolutions were reported.

SUPERVISOR OF CULLERS' OFFICE.

Hon. Mr. GEOFFRION moved the second reading of Bill to amend the Act respecting the culling of timber.

Mr. CURRIER hoped the Government would give some explanations as to why this Bill was brought into this House. For his part he was not aware that any pressure had been brought to bear on the House to change this law.

Hon. Mr. MACKENZIE said the hon. gentleman was mistaken. In fact, if the hon. member had not himself mentioned the matter, the hon. member for South Renfrew had, and the Government had been importuned to make a change in the law. It was proposed by a special committee on the subject that the Government should take the matter into their own hands.

Mr. CURRIER said a change had been recommended, but he happened to be in a minority on that committee. There were some features of this Bill which he approved of, and others which he did not. For instance, it would be very objectionable to make the culling or measuring of all timber compulsory. That should be left out.

Hon. Mr. MACKENZIE said the only desire of the Government was to make the Bill as perfect as possible. It could be read a second time and referred to committee, where suggestions would be considered.

The Bill was read a second time and referred to Committee of the Whole, Mr. PELLETIER in the chair.

On the motion for the adoption of the first clause,

Mr. ROCHESTER said he considered the clauses of the old Bill which it was proposed to strike out were far more satisfactory than those it was proposed to substitute for them, and he therefore moved that the following sections of the Bill before the Committee be struck out, viz :—"Clauses 5, 6. 11, 12, 13, 14, 17, 18, 19, 20, 24, 30, 31, 32, 33, 34, 35, and 40, together with all such parts of the Bill as are inconsistent with the provisions of the said Act hereby repealed," The Cullers Act of the present day, with some very slight alterations, was all that the trade required. This Bill proposed to go into culling all kinds of timber and sawn lumber. The previous Act made provision for the culling of square timber and deals, but it did not make provision for the culling of boards or sawn lumber; and he was satisfied that so far as the trade with the United States and South America was concerned, no such provision was necessary, the trade regulating itself in that respect. Individuals came here to purchase their lumber and they generally sent men during the time of the shipping of that lumber to see that it was culled according to bargain. It regulated itself in that way. He thought it would be wrong in the House to step in and make new laws and regulations which would involve great expense and inconvenience without being any benefit to the trade. There was one amendment which he thought the trade asked from the House. According to the provisions of the old Act a certain number of cullers were appointed to act under a superviser. A man arrived in Quebec with his raft and applied to the cullers to have it measured. He had to wait until a certain culler's turn before it could be done. It so happened that more than double the number that were really required to perform this service were employed, and the trade thought that it was a great injustice that they should have to pay for the support of so many useless hands. To remedy this was the only change that was asked, and so far as sawn lumber was concerned, he had not heard that any amendment whatever was required. It would be time enough for the House to appoint cullers for that class of timber when the trade asked for it. He read the clause on this subject which he proposed to strike out, and also the succeeding clauses, and declared that he did not see that there was any reason for changing the old provisions. In that connection he remarked that the gentleman who superintended the Department of Inland Revenue under the Ministry was one with whom he (Mr. ROCHESTER) had had a good deal to do. He was fully

aware of the ability of that gentleman, but he noticed that in all the acts with which he had anything to do he invariably inserted a provision which enabled him to make such rules and regulations as he thought fit. Gentlemen in the distillery and brewery business throughout the Dominion, and those engaged generally in the manufacture of spirits, had had ample experience of his despotism.

Hon. Mr. MACKENZIE said the hon. gentleman must confine himself to the merits of this Bill, and not to the demerits of the Inland Revenue Act.

Mr. ROCHESTER said the references he had made were made with a view to show that those engaged in the sawn lumber trade felt keenly on this subject, and were very desirous that they should not be subjected to the tyranny of the individual referred to. He spoke feelingly on the subject himself, from the fact that he had a good deal to do with him.

Hon. Mr. MACKENZIE objected to hon. members making general charges against Government officers, and asked the hon. gentleman (Mr. ROCHESTER) if he had any specific charge to make, to bring it forward in the proper way. The principle of the Bill was this—the cullers were made a department of the Inland Revenue office, and they would be managed under the entire supervision of the Minister of Inland Revenue. He understood the 13th clause of the Act was strongly objected to, and if so the Government would be glad to consider any amendment in regard to that, as well as any other section.

Mr. ROCHESTER hoped the Committee would do away with all the clauses that related to sawn lumber, and left the Act so as to reduce the number of cullers from sixty to ten or twenty.

ON CLAUSE IV.,

Hon. Mr. GEOFFRION, in reply to Mr. CURRIER, said that the Department would make regulations for the appointment of officers and the Government would be responsible for the appointments. The intention of the Government was to appoint in future only cullers who were qualified to cull all kinds of timber.

In reply to Mr. McDOUGALL (Renfrew),

Hon. Mr. GEOFFRION said the number of cullers being at present unnecessarily large, it was proposed to reduce it, and the Government took power to give certain pensions to those who retire. The Governor in Council could decide the amount of compensation to be paid.

Mr. CURRIER maintained that any men who passed an examination in culling should be licensed as cullers, no matter how they were employed.

Hon. Mr. GEOFFRION, in reply, said it was important that we should retain the confidence of the English and foreign buyers. If the licensing system as proposed were put in force, every lumberman would have one of his men qualifying himself to obtain a license, and consequently the culling would prove practically useless.

Mr. CURRIER said he would give every culler a license when he passed an examination, and only the best and most impartial would find employment, while those who were inefficient from any cause would have to fall out and adopt some other occupation for a living. This system existed in the United States at Albany, where there was more lumber shipped and sold than at Quebec, and the difference between that system and ours was that the latter would be double the expense to the trade. There would probably be 25 or 30 cullers on the list at $1,000 each, but ten or twelve good men would be sufficient at the same salary, and thus the expense could be reduced one-half.

Mr. J. L. McDOUGALL (S. Renfrew) said he believed in the fee system, and that the cullers should be employed by rotation, as men would almost invariably become cullers when their salary did not depend upon the work done. He did not think there would be any trouble about incorrect or dishonest measurements, as people when buying always measured sufficient to give them a test of the quantity. There were some cullers who never left the office because they were too old, and they had to send others to do the work for them, and some who through drink could not attend to their business.

Hon. Mr. CAUCHON said the intention was to get rid of inefficient men and then compel the remainder to master the business, and thus reduce the expense of the service. Whether they ought to be placed upon salaries or fees was another question; but they ought to be paid reasonably. There were preferences in culling, as some first-class men could

make no more than $200 a year, while others would earn $2,000 or $3,000. Merchants showed this preference to men who would come up the river in winter and measure for them, and when the timber was sent down they received further favors. He thought the system, as it now existed, ought to be abolished.

Mr. TREMBLAY dit—Je formais partie du Comité chargé, l'année dernière, de s'occuper de la question maintenant soumise à cette Chambre— La majorité des membres Comité, après un examen attentif, en est du venu à la conclusion qu'un changement était absolument nécessaire, et je crois que le rapport du Comité est dans le sens de la mesure préparée par le Ministre de l'Intérieur. Comme l'a fait remarquer le député de Québec Centre, il a été prouvé que des colleurs de la plus haute capacité gagnaient de $200 à $300 tandis que d'autres réalisaient jusqu'à $3,000 par saison. Le fait est que plusieurs de ces derniers allant travailler dans les chantiers pendant l'hiver moyennant des gages peu élevés, ont l'avantage d'être choisis de préférence par ceux qui les ont employés pendant l'hiver. Les propriétaires doivent certainement avoir de bonnes raisons pour retarder, comme la chose a été prouvée, pendant 7 à 8 jours, le mesurage de leur bois, afin d'avoir un colleur de leur choix. Dans l'intérêt du commerce de bois, le gouvernement doit protéger non-seulement le producteur ou le vendeur, mais aussi l'acheteur. L'acheteur venant de l'Angleterre ou de la France, doit trouver pour le marché les garanties nécessaires sur la quantité et la qualité du bois qu'il achète. Il en est de cette classe de commerçants comme des autres classes. Le Gouvernement nomme des inspecteurs de farine et de lard non pas tant dans l'intérêt du vendeur que dans l'intérêt de l'acheteur qui a le plus besoin de protection quant au poids et à la qualité. J'espère donc que la mesure de l'honorable Ministre du Revenu de l'Intérieur rencontrera l'approbation de la Chambre.

Hon. Mr. MITCHELL said he would not oppose the Bill; neither would he enter into the question whether payment by salary or payment by fees was the better mode, but he would give his own experience in relation to what the system of culling was in other ports than Quebec. In the lower ports there were surveyors of lumber who not only measured but also classified the lumber. Any lumberman could employ whatever surveyor he pleased, and his measurement was received as a certificate not only of the amount but also of the quality of the lumber. He could quite understand the reason why a gentleman who brought a raft of timber to market might not be disposed to take any culler who might turn up under the rotation system. The trade might consider one-third or one-half of the cullers unfit for their duties. It was the same with the pilots, of whom there were some two hundred below Quebec. Ask any shipowner how he would like to be compelled to take any pilot who came, and he would say he would prefer to pay four times as much and be allowed to select a man in whom he had confidence. It might be the same with lumbermen who desired to employ men of some standing in the class to which they belonged. He could quite understand the objection taken by the hon. member for Ottawa who desired to get thoroughly reliable and efficient cullers, whose certificates could be depended upon. The weeding out of 26 worthless cullers and retaining of 20 good men was an improvement, but it was desirable that the cullers retained should be men of character and reputation.

Mr. CURRIER hoped the sixth clause would not be insisted upon.

Hon. Mr. GEOFFRION said it was the very principle of the Bill. The Government could not limit the number of cullers. They would assume the responsibility of employing a sufficient number to do the work.

Mr. HAGAR said in Montreal and Sorel there were only two cullers who measured 4,000,000 feet, annually, and measured it satisfactorily. In Quebec they averaged between 300,000 and 400,000 feet for each culler.

The clause was passed.

On the 8th clause,

Mr. CURRIER asked if the stamping of initials to denote the quality, applied only to square timber.

Hon. Mr. GEOFFRION said it applied to square timber only.

Mr. CURRIER said the clause should specify that.

The clause was passed.

On the 12th clause,

Mr. CURRIER said he did not see how it was possible to carry out this provision, because in shipping lumber to

foreign countries it was impossible to say whether it came from Ontario or Quebec.

Mr. McDOUGALL said this clause would refer to square timber altogether because the duty that was payable on account of deals was paid on the logs and not on the timber.

Mr. CURRIER—Then the word" lumber" should be struck out.

Hon. Mr. GEOFFRION promised to make the amendment.

The clause was passed.

On clause 13,

Mr. CURRIER said this clause should be struck out. It would never do to make culling compulsory.

Mr. McDOUGALL said he had a telegram from the Quebec Board of Trade against it.

Hon. Mr. GEOFFRION said he would consider the matter and make such amendments as seemed advisable on the third reading.

M. TREMBLAY dit : — La dernière partie de la 13ème clause, fixe à la Pointe Est de l'Isle d'Orléans, la limite où se rendront, en bas de Québec, les colleurs chargés en vertu du Bill actuel d'inspecter les bois d'exportation. Je pense que l'hon. Ministre du Revenu de l'Intérieur, n'aura pas d'objection à retrancher cette partie de la clause, afin de donner aux commerçants de bois de St. Thomas, par exemple, ou de Rimouski, et aux propriétaires des autres chantiers sur les côtes du St. Laurent et ailleurs, l'avantage d'avoir des colleurs commissionés, lorsqu'ils en auront sbeoin. En laissant la clause telle qu'elle est le Gouvernement se trouverait dans l'impossibilité d'envoyer un seul colleur plus bas que la Pointe Est de l'Isle d'Orléans, ce qui pourrait nuire gravement dans certain cas aux intérêts du commerce de bois dans cette partie de la Province de Québec.

Hon. M. GEOFFRION :—Si la clause toute entière n'est pas retranchée, je comprends qu'ils sera nécessaire d'en modifier la dernière partie dans le sens indiqué par le député de Charlevoix, afin de procurer à tous les commerçants de bois de cette partie du pays de se servir des colleurs sous le contrôle du Gouvernement.

The clause was passed, and the Committee rose and reported the Bill.

THE CIVIL SERVICE.

The House went into Committee to consider certain proposed resolutions to increase the salaries of the Civil Service of Canada as provided in the "Act respecting the Civil Service of Canada."—Mr. SCATCHERD in the chair.

Hon. Mr. CARTWRIGHT said the details of these resolutions would be found in the Bill now in the hands of hon. gentlemen. They stated in the first place that the sum to be expended under this Act was not more collectively than had been granted for the past two years to the parties affected. There was some difference in the amount the classes received. The junior classes received something more and the senior something less. The only other alteration on the present Civil Service Act was to divide the Chief Clerks into two grades—the first and second grades.

Mr. YOUNG said he was very glad to hear the explanation of his hon. friend the Minister of Finance, because he was aware that some misconception existed in regard to this subject. The manner in which the resolutions were placed on the notice paper permitted the inference that a considerable increase was being made in the salaries of the officers of the Civil Service. As he (Mr. YOUNG) understood the hon. gentleman, there was in the main no material increase over the amount formerly paid in the way of salaries and bonuses.

Hon. Mr. MACKENZIE—A decrease.

Hon. Mr. CARTWRIGHT said that formerly $70,000 had been voted to regulate the salaries, but the sum distributed in future would not be equal to that.

Mr. YOUNG said he had turned up the former Act and found that the salaries of first, second and third class clerks would generally be the same as the amount they now received between bonus and salary before. In some cases it would be a little less. In regard to the deputy heads, there would be an increase of some $400. At present their salaries were fixed at $3,200; under the Bill before the House they would be fixed at $3,600. He understood, however, that the deputies had heretofore received no part of bonus. He (Mr. YOUNG) was glad that the explanation of his hon. friend had been given, because he knew there was a feeling in the country from the way in which the resolutions were framed that there was to be a general increase in salaries. He was himself of opinion that the members of the Civil Service should be well paid, but that no greater number should be employed

than was necessary. At the same time there had been a very considerable increase in these salaries of late years, and of course we ought as far as possible in this as well as in the general expenditure of the Dominion to keep economy very strongly in view. The country had entered into a great many serious engagements which might, if we were not careful, result in an increase of taxation beyond that which was found necessary last year. Very many of the members of this House, and not the least gentlemen of the Ministerial side, who had always been advocates of economy, looked to these estimates with careful scrutiny hoping to see as small an increase as was consistant with the efficiency of the public service.

Hon. Mr. POPE said his hon. friend was mistaken when he believed that the deputy heads had not shared in the bonus. They had their salaries increased from $2,600 to $3,200, so that they participated very largely indeed.

Hon. Mr. MACKENZIE quoted the resolutions passed in 1873 to show that while some of the deputies were receiving $4,000 before that time, none received less than $3,200. At the present time some three of them received about $4,000.

Hon. Mr. MITCHELL said so far as he remembered only the deputy of the Minister of Public Works was receiving the regular salary of $4,000. The Auditor General, between salary and allowances, had about $4,000. He would like to ask the Minister of Finance some questions with relation to the meaning of some portions of the resolutions. He desired to ask whether any clerk would under the Bill based on these resolutions receive less than he had been paid during the last two years, adding salary and bonus together.

Hon. Mr. CARTWRIGHT said the junior second class clerks would receive a little less. For example a clerk who was receiving at present $805, salary and bonus added, would under this Act receive $800, which, as the hon. gentleman would see, was a little less. In the succeeding class the reduction would be proportionately a little more. To a certain extent the same rule would apply to the senior second class. Third class clerks would be paid more than they had received hitherto. Their salaries would be $500 instead of $460 as heretofore. Clerks of the first grade would receive $50 more. When they had attained their maximum they would receive $2,800.

Hon. Mr. MITCHELL inquired at what date the new rate was to come in force.

Hon. Mr. CARTWRIGHT—The first of July, 1875. It would not have been convenient to apply it from the beginning of the year, because the bonuses have already been begun to be distributed.

Hon. Mr. MITCHELL inquired whether it was the intention to re-organize the classes so as to define anew the rank of each clerk, or whether they would continue to take rank as at present.

Hon. Mr. CARTWRIGHT said it was intended to classify them according to length of service. Of course the hon. gentleman was aware that the Civil Service Act had not been rigidly adhered to in that respect in certain cases, and that a number of clerks had been placed in the more advanced classes out of the regular order. The Government would not in these cases give any increase until the clerks in question had attained the maximum of their class. Of course the head of the Department must be satisfied of the efficiency of the clerk whose salary was in question before the increase was recommended.

Hon. Mr. MITCHELL inquired whether a clerk or officer, having served four years, would under the new scheme, be entitled to the maximum rate at once, or whether he would have to commence anew and gradually arrive at it.

Hon. Mr. CARTWRIGHT said they had all received $50 per annum increase from year to year, and he did not think there was any exception to this rule. The operation of this Act would certainly not be to place them in a worse position than they were before. Taking them as a whole, they would remain substantially in the position they were at present.

Hon. Mr. HOLTON said he observed his hon. friend (Mr. CARTWRIGHT) had stated that there would be some reduction upon the $70,000 voted for bonuses during the last two years. Practically, however, that vote was reduced by $7,500, which had been appropriated to officers of the House. He desired his hon. friend (Mr. CARTWRIGHT) to say whether he pro-

posed dealing with these officers under the new Act, or whether their salaries would remain as formerly.

Hon. Mr. CARTWRIGHT—These are in the hands of the House.

Hon. Mr. HOLTON said his hon. friend was right, but the Government had asked for a vote which covered both classes, and he desired to know if they meant also to deal with them in the Act. He did not come there for the purpose of advocating an increase in salaries, and he extremely regretted that almost the first thing a Reform Government found it necessary was to do this same thing. He was disposed to deal liberally with public officers, but he thought this whole scheme might very safely have been left over for another session. Some of the increases were excessive; the increase to the deputy heads entirely so, for their salaries had been only a short time ago raised by a large amount, and now they were going to be still further increased from $3,200 to $3,600—nearly twice the salary of a county judge. No case had been made out for increasing the salaries of the deputy heads of departments as was proposed in the Bill. He regretted that a scheme for the general increase of the salaries of the Civil Service had been felt to be necessary so soon after the Government acceded to office. The fact only showed that if this increase was necessary, the late Government notwithstanding their extravagant expenditures, had not considered the claims of the deserving and hard-working Civil Servants.

Hon. Mr. CARTWRIGHT said that every one knew that there had been a large increase in the cost of living within the last ten or fifteen years, or a large deduction in the value of money. It was a question of practical importance for the House to decide whether salaries of £800 rising to £900 were excessive for heads of Departments. He thought their position should be compared to that of the general officers employed under the chiefs of the great railway companies, or to the position of a gentleman occupying a fair position in the legal profession at one of the leading cities. He did not desire to increase the taxation of the country, but to reduce it as soon as possible. Every one would understand to how great an extent the Government in this country depended on the permanent deputy heads of the departments, and would comprehend the necessity of securing a superior class of men. Having regard to the salaries paid in Canada to men of moderate attainments, Parliament should place the salaries at the top of the scale on a liberal footing. A considerable number of promising Civil Servants had after a considerable number of years left the service on account of higher salaries being offered them than the Government had it within their power to give.

Mr. WOOD complained that Civil Servants outside of Ottawa, who had been in office twenty years, only received a salary of $1,060. The only fault to be found with the Bill was its omission to deal with the outside Civil Service.

Mr. COLIN MACDOUGALL said that he would support the Bill on the ground that the increase proposed was to secure greater efficiency, as had been established by the speech of the hon. Finance Minister.

Right Hon. Sir JOHN A. MACDONALD regretted that as the Government were undertaking a revision of the whole Civil Service Act, they had not brought down in this, or a separate Bill some general system for the management, organization, payment and examination of outside clerks. In the original Civil Service Act, 1831, there was a clause which related to the outside service, but by some accident the schedule which referred to the matter was never attached to the Bill, and therefore did not become law. The omission was never remedied. There was no reference in the present Act to the outside service, and it was for that reason that he suggested to the Premier that the measure might be supplemented in this respect. In order to have the system complete we should have Acts for the inside and outside service, as they had in England, though under a series of Acts instead of a general Act. He agreed with the opinions expressed by hon. members that there should be a wide distinction between the deputy heads and the ordinary departmental officers. They stood in a different position from the clerks, for the deputy heads were permanent Ministers. They were the persons to whom the political leaders must look for all the details of the department. The political leaders must trust, in many cases, implicitly to the deputy heads for the management of the departments, especially when

a change of ministry occurred. Before the Civil Service Act was adopted a gradual scale of salaries was in operation under which the deputy heads was only a step above the chief clerk, receiving an additional salary of perhaps £50 ; but the subordination under that system was not what was desirable. In England the permanent heads of the departments were men of the first ability drawn from the Universities, and on their retirement they were frequently made peers. The permanent Secretaries of the Foreign Office and the Colonial Office had been called to the peerage. As to the proposed increase to be given to the deputy heads under the Government Bill, at the risk of being considered wanting in economy, he would certainly vote for it.

Hon. Mr. MACKENZIE said this was a question upon which he hoped hon. members would freely express their opinions. Although the Government took the responsibility of introducing the resolution they did so with the view of obtaining discussion thereon. As hon. gentlemen who had taken part in the Government of the country knew there was nothing probably more annoying than the constant demands made by parties in the Civil Service on the heads of the departments. It was well that in a matter of this kind there should be a full expression of opinion by the House because it was not a matter in which the Government felt bound to carry out the ideas contained in the resolutions unless those resoluions should be found to harmonize with the general opinion of the House. He quite concurred in the major part of the remarks made by the hon. member for Kingston as to the necessity of obtaining first class men as deputy heads, and more than that, of obtaining good men as heads of the Union Branches. It was certain that the office of Chief Engineer of the Public Works Department would not be filled by an able man possessing the requisite technical knowledge, at a less salary than would be paid by railway or private companies. It was also quite impossible to obtain first class officers for the Finance Department at much less salaries than ordinary banks would be willing to pay. All these points had to be considered ; the Government like other people had to enter the labour market and compete for the kind of labour they required, and they found great difficulty in obtaining for the salaries offered, the services of the best men. There were undoubtedly numerous applicants for offices at all times, yet occasionally it happened, and it had been so in his own department, that great difficulty was experienced in obtaining suitable men unless the Government was able to offer them fair remuneration for their services. It was a matter that had caused the Government of Canada a great deal of concern, but not more than the Governments of England and the United States. The hon. member for Chateauguay had regretted that the Government had been compelled to propose these increased salaries. The only increases proposed were in the case of the deputy heads. There was a very considerable reduction otherwise when the bonuses, which were distributed during the last two years, were taken into account. In his own department the salaries paid under the present Bill would amount to a very much less sum that the amount paid last year for salaries and bonuses.

Hon. Mr. MITCHELL said he had always entertained a different opinion from that held by the right hon. member for Kingston in regard to the position of the deputy heads. He quite agreed with the hon. Premier, that the Government should endeavor to obtain public officers of the utmost efficiency at a fair remuneration. He differed, however, from his right hon. friend in regard to the position occupied by the deputy heads. We, in Canada, ought not to follow the practice in England in this respect, where these officers obtained peerages for their salaries in addition to the high salaries paid them.

Mr. YOUNG said, from expressions which had fallen in this dicussion, it was likely that misconceptions might arise, and the impression go abroad that there was a considerable increase in salaries through the resolutions before the House. It was a fact, however, that there was no increase except in the case of deputy heads. He had no hesitation in saying that he would prefer to see no increase in the salaries of these officers. They received salaries equal to the Judges of our county courts, who were men of the highest education and ability. In some few cases the salaries were not too high, but it was equally true that in other departments scores of men could be found to efficiently discharge the duties of these offices for the salaries paid

at present. He was glad to see that the Government had decided when any additions were to be made to the staff, to lay the matter before Parliament. He regretted that some increases had recently been made in the number of officers in the Departments. He would like to have no increase made for a year or two at least. He was sure the Premier was highly desirous of keeping down the expenditure in the departments, and he hoped before next year came round they would find if there was no decrease there would at least be no increase in the expense of the departments. No doubt there were occasions where an increase was necessary, but he hoped there would be a disposition shown to keep down the number of officers.

Mr. ROSS (Prince Edward) found fault with the present Government for showing a disposition to increase the salaries of these officials. He hoped the Government would make no increases until next year.

Mr. GORDON did not approve of these resolutions. It struck him there were a good many employees about the House and in the service of Parliament who were not required. For instance, he observed a number of men in the lobbies who were apparently without occupation. There was a man sitting on one side of the door to open it in that direction and another on the other side to open it the other way. It frequently happened that neither of them were attending to their business and members had to open the door themselves. Efficient servants should be well paid, but with regard to the deputy heads he did not think it would be found in accord with the mind of the country that they should have an increase. The salary of $2,600 had been increased $600, and now it was proposed to increase it $400 more, with the object, no doubt, of ultimately running it up to $4,000. He was decidedly opposed to any increase in the salaries of deputy heads.

The resolutions were adopted and the committee rose and reported.

COMMON CARRIERS.

The Bill to define and settle the duties, rights, and responsibilities of carriers by land and water was read a second time.

The House adjourned at 12:20 a. m.

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HOUSE OF COMMONS,

Wednesday, March 17th, 1875.

The SPEAKER took the chair at three o'clock.

ST. PATRICK'S DAY.

Hon. Mr. MACKENZIE said it had been customary for the House to adjourn for a portion of St. Patrick's Day—that was, after six o'clock. The St. Patrick's Society and other bodies waited upon the Government some weeks ago to ask for an adjournment this evening. He then communicated with hon. gentlemen on the opposite side of the House to say that so far as he was concerned there was no objection. The House had sat late every night to the present time, and there could be no harm in an early adjournment to-day. He moved that when the House rises at six o'clock it stand adjourned till to-morrow at three o'clock.

THE DUTY ON TEA.

Mr. DONAHUE asked whether it was the intention of the Government to impose a discriminating duty of ten per cent. on tea coming from the United States.

Hon. Mr. CARTWRIGHT — With respect to this question, which is one of some interest to a considerable number of parties, the House will allow me to make a few statements in explanation. I desire to say in the first place that there have been a very considerable number of petitions against the re-imposition of this duty presented to the Government. On the one side, no doubt, there have been gentlemen, having a large wholesale interest, who have urged its re-imposition, but on the other side, there have been a considerable number of houses, some of them of considerable note, throughout the country, who oppose very earnestly the re-imposition of this particular duty. Now, I desire to say with regard to this duty, as far as I am informed, it was never imposed by the United States, except when they repealed all duties on tea. When they imposed duties to any considerable amount, they abolished the discriminating duty. I hope that the statement is erroneous, but that is the information given to me. With respect to the general question I may just point out that although I do not at all desire to say that these gentlemen may not be ex-

posed to hardship, there is no doubt you cannot re-impose this duty of ten per cent. without inflicting a very heavy tax on consumers—that is the people generally—the greater portion of which will not go into the public treasury at all. Under these circumstances, therefore, the Government could not see their way to re-impose this duty.

QUEBEC GRAVING DOCK.

Mr. FRECHETTE asked whether it is the intention of the Government soon to determine the site for the construction of the proposed Graving Dock for the Port of Quebec ; and whether they intend in this matter to trust to the report of the Engineers, Messrs. KIMPLE and MORRIS ?

Hon. Mr. MACKENZIE—The Government are not to build the dock, and therefore, will not themselves fix upon the site, although, as the Bill before the House will show, as the Government are to guarantee the interest on a certain expenditure they will exercise some control in the location of the dock. While the Government will be bound to see that it is located in such a place as will in all probability meet the public interest, and secure the least expenditure, we do not feel that we ought to exercise absolute control in the selection.

THE ORDER OF MOTIONS.

Hon. Mr. HOLTON called attention to the fact that the first question on the paper was not put, although the hon. member who should have asked it was present. The rule ought to be rigidly enforced that such motions be moved when reached or dropped.

Right Hon. Sir JOHN MACDONALD said if this system had been enforced at the commencement of the session it would have been well, but for several sessions such motions had been allowed to stand if the hon. members interested desired it. If the rule could be stringently enforced it should be so enforced in regard to motions and not questions. He was quite in accord with the hon. member for Chateauguay as to the general principle of allowing motions to remain on the paper. Under the present system the House could not know whether the motion was to be brought up or not ; and he thought it was absolutely necessary, if any business was to be done, that the paper should be kept clear and that the House should rigidly require that when a motion was reached if the member was not ready to go on with it that it should be dropped, and the hon. gentleman be required to give notice *de novo*. As an instance of the difficulty of the present system he would mention the fact that the motion of the hon member for Bothwell with respect to the Senate, had been allowed to stand from time to time, and in consequence of the day not being known when it would be discussed, a good many members were absent. If this House was to be anything more than a body to consider votes upon Government measures, they would have to take cognizance of the rule, which existed here as well as in England, and adhere to it stringently.

Mr. SCHULTZ, to whose question Mr. HOLTON had referred, asked leave to withdraw it.

THE VETERANS OF 1812.

Mr. DELORME asked whether it is the intention of the Government to provide means to prevent the gratuity given to the veterans of 1812-13-14 and 15 from falling into the hands of jobbers or speculators to the detriment of these old militia men.

Hon. Mr. VAIL said that the object in asking the vote was to acknowledge the services of the veterans who had served in the war of 1812-13-14 and 15, and it would be the duty of the Government so far as possible to see that the money got into the hands of the persons for whom it was voted.

PETITION OF S. THEBERGE AND OTHERS.

Mr. TASCHEREAU asked whether it is the intention of the Honourable the Minister of Justice to request immediate action on the part of the House on the facts alleged in the petition of S. THEBERGE, Esq., and others ; praying for the impeachment of the Honorable Mr. JUSTICE BOSSE, seeing that by the rules of this House, it is impossible, between the present time and the close of the present Session, to take into consideration the motion of which notice has been given on the subject, by the member asking this question ?

Hon. Mr. FOURNIER—In reply to the hon. member I may inform him that the question is at present under the consideration of the Government.

THE ESCUMINAC LIGHT-HOUSE.

Hon. Mr. MITCHELL asked whether it is the intention of the Government to connect Escuminac Light House by a line of Telegraph with the Telegraph system of the Dominion, for the purpose of promoting the greater efficiency of the Storm and Weather signal system, and as a means of conveying timely warning of wrecks, &c., on that coast?

Hon. Mr. SMITH in reply was understood to say that the question was, at present, before the department and would receive consideration.

WAY OFFICE SYSTEM IN NOVA SCOTIA.

Mr. BORDEN asked what is the policy of the Government with regard to the present Way Office system in Nova Scotia, as regards the creation of such offices in the future, and as regards those which are already in existence?

Hon. D. A. MACDONALD said it was the intention of the Government to do away with the Way Offices as rapidly as possible. Hereafter there would be no additional Way Offices either in New Brunswick or Nova Scotia.

INDIAN VETERANS OF 1812.

Hon. Mr. POPE asked whether it is the intention of the Government that the Indian veterans of 1812 will be placed upon the same footing as regards pensions as other veterans of that war? If so, what evidence of service will be required in cases where they were not enrolled?

Hon. Mr. MACKENZIE said that was a matter that required some consideration, but where the Indians really had fought in the British service their labours would be recognized, proof, of course, being required. He thought, however, there would be no difficulty in obtaining that information.

BAYFIELD HARBOR.

Mr. McISAAC asked whether it is the intention of the Government to send an engineer next summer to examine the condition of Bayfield Harbour and Arisaig Pier and report thereon?

Hon. Mr. MACKENZIE said, in reply, that an Engineer of the Department would examine those places sometime during the ensuing season, but he could not state when.

LAND GRANTS TO VOLUNTEERS.

Right Hon. Sir JOHN MACDONALD said that with the permission of the House he would call attention to a subject not on the orders. Some weeks ago he made a motion for a return of the names of all those veterans who went up on the first expedition to the North-West. It was known that when those volunteers enlisted they were promised, if they went up to that country and remained there during three years, they would receive a free grant of 160 acres. Some of those men, in consequence of the hardships to which they were exposed, were invalided, some incurred protracted diseases, and some died. The return which had been presented to the House showed that 59 men, of those who went to the North-West, broke down in health and were discharged as unfit for service, in consequence of their physique not being able to withstand the hardship. He therefore, would ask the Premier whether, under the circumstances, without any formal motion being made, he could see his way to secure to those 59 men those grants.

Hon. Mr. MACKENZIE said the Government had already decided that in the case of those who had been invalided, not on account of any misconduct of their own, but from sickness contracted in service, their claims would be recognized.

Sir JOHN MACDONALD — And their representatives?

Hon. Mr. MACKENZIE — They will be treated in the same way as others who were entitled to it.

PRIVATE AND LOCAL BILLS.

The House went into Committee on a Bill to confirm articles of agreement and consolidation between the European and North American Railway Company for extension from St. John, westward, and the European and North American Railway Company of Maine, and for other purposes (as amended by Standing Committee on Railways, Canals and Telegraph Lines.) Mr. CASGRAIN in the chair.

Hon. Mr. HOLTON said he considered it his duty to call the attention of the Minister of Justice to this Bill. It was considered with some care by the committee on Banking and Commerce, and was referred to a sub-committee, which made some amendments, but the Bill itself was of somewhat an exceptional and extraordinary character. Having, as chairman of the committee, called the

attention of the hon. Minister to the question, his duty was discharged; he had no further objections to offer, if the honorable Minister was himself satisfied.

Hon. Sir JOHN MACDONALD asked the hon. member for Chateauguay to state the objections.

Hon. Mr. HOLTON said the Bill was to amalgamate a railway in New Brunswick with a railway in the State of Maine, and the object was in itself quite an objection. But what was more exceptional in the Bill was that it proposed to make part of the Statute Articles the agreement entered into between the two Companies some years ago. Those articles were not framed with a view to their becoming a part of the Statutes, but for an entirely different object, and they were scarcely in such a form as to adorn our Statute Book.

Hon. Mr. FOURNIER stated that the sub-committee having reported in favor of the Bill, he could see no objection to its passing.

The Bill passed through committee without amendment and was read a third time.

On motion of Hon. Mr. CAMERON, (Cardwell) the House went into Committee on the Bill to consolidate and amend the Acts relating to the Provincial Insurance Company of Canada, (as amended by Standing Committee on Banking and Commerce). Mr. McKAY WRIGHT in the chair.

The Bill was reported, read a second and third times, and passed.

On motion of Mr. MACKENZIE (East Elgin) Bill to authorize the Canada Southern Railway Company to acquire the Erie and Niagara Railway and for other purposes, was read a second time, and on motion referred to the Standing Committee on Railways and Telegraphs.

On motion of Mr. JETTE the Bill to change the name of the Montreal Permanent Building Society to that of "The Montreal Savings and Loan Company," and to extend the powers thereof, was read a second time and referred to the Private Bills Committee.

THE PETERSON BILL.

Mr. JAS. MACLENNAN moved the second reading of the Bill for the relief of HENRY WILLIAM PETERSON (from the Senate.)

Mr. TASCHEREAU moved, seconded by Mr. POZER, that the Bill be not now read a second time but that it be read a second time this day three months.

Mr. MACMILLAN said if the Bill were now passed he was afraid justice would not be done. He was made aware from circumstances that came to his knowledge that the respondent was lying ill, and could not be here for the purpose of defending herself as she could have done; and the evidence taken before the Senate was merely the evidence of the petitioner without a particle on behalf of the respondent. He had been desirous of placing some evidence before the Senate. But it had arrived too late; the Bill had passed before the Committee of the House before he was aware of it, or he would have brought the evidence before them. He read the certificate of Drs. HART and CLARK of Guelph, to the effect that the respondent was ill with an attack of rheumatism and was unable to come; and he also read an affidavit by Mrs. PETERSON denying the charge. This affidavit was not perhaps quite so full as the affidavits in the suit before the Court of Chancery, in which the respondent and co-respondent denied the charge. If the Bill were pressed he would claim the right to read the evidence taken before the Court of Chancery.

Mr. STIRTON said he had just received a telegram from a most respectable authority in Guelph that Mrs. PETERSON was walking about on the streets this week. The case had come before two law courts in different shapes—before the Court of Queen's Bench and the Court of Chancery—and the verdict had been given against the mover. He did not see why the House should now hesitate in doing an act of justice.

Mr. THOMSON (Welland) had voted for the first reading of the Bill, but would now vote for the amendment as he had learned from a friend capable of judging evidence that the evidence was not clear against the respondent.

The House then divided on the amendment with the following result :—

YEAS:

Messieurs

Aylmer,	Jones (*Leeds*),
Baby,	Laflamme,
Béchard,	Langlois,
Bernier,	Lanthier,
Bourassa,	Laurier,

Bunster,
Caron,
Casgrain,
Cauchon,
Cheval,
Cimon,
Colby,
Costigan,
Coupal,
Cunningham,
Currier,
Cushing,
Cuthbert,
Delorme,
Desjardins,
De St. Georges,
Donahue,
Dugas,
Fiset,
Flynn,
Forbes,
Fournier,
Fréchette,
Gaudet,
Geoffrion,
Holton,
Hurteau,
Irving,
Jette,
Jodoin,
Jones (*Halifax*),
Little,
McDonald(*CapeBreton*),
Macmillan,
McIntyre,
McIsaac,
McQuade,
Masson,
Mitchell,
Moffat,
Montplaisir,
Pelletier,
Perry,
Pettes,
Platt,
Pope,
Pouliot,
Power,
Pozer,
Richard,
Robillard,
Robitaille,
Rouleau,
Scatcherd,
Smith (*Peel*),
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Cariboo*),
Thomson (*Welland*),
Tremblay,
Wright(*Ottawa*),—72

NAYS :

Messieurs

Appleby,
Archibald,
Bain,
Bertram,
Biggar,
Blackburn,
Blain,
Borron,
Bowell,
Bowman,
Brouse,
Buell,
Burk,
Burpee (*St. John*),
Burpee (*Sunbury*),
Cameron (*Cardwell*),
Campbell,
Carmichael,
Cartwright,
Casey,
Charlton,
Cockburn,
Coffin,
Cook,
Davies,
DeCosmos,
Dymond,
Farrow,
Ferris,
Fleming,
Flesher,
Galbraith,
Gibson,
Gillies,
Gillmor,
Gordon,
Goudge,
Greenway,
Kerr,
Kirk,
Kirkpatrick,
Laird,
Landerkin,
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
McKay (*Cochester*),
Mackenzie (*Lambton*),
Mackenzie (*Montreal*),
Maclennan,
McCallum,
McCraney,
McGregor,
Metcalfe,
Mills,
Monteith,
Oliver,
Palmer,
Paterson,
Pickard,
Rochester,
Roscoe,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Rymal,
Schultz,
Scriver,
Shibley,
Sinclair,
Smith (*Selkirk*),
Smith (*Westmoreland*),
Snider,
Stirton,
Trow,
Wallace (*Albert*),
White,
Wilkes,
Wright (*Pontiac*),
Yeo,
Young—84.

Mr. Macmillan.

Mr. MACMILLAN moved that the Bill be not read a second time, but be sent back to the committee for re-consideration. He said he had received an affidavit and medical certificate which were very important in the case.

Mr. SPEAKER ruled that the committee was no longer in existence, and the motion was therefore out of order.

The House then divided on the motion for the second reading which was carried on the following division :—

YEAS :

Messieurs

Appleby,
Archibald,
Bain,
Bertram,
Biggar,
Blackburn,
Blain,
Bowell,
Bowman,
Brouse,
Buell,
Burk,
Burpee (*St. John*),
Burbee (*Sunbury*),
Cameron (*Cardwell*),
Cameron (*Ontario*),
Carmichael,
Cartwright,
Casey,
Charlton,
Cockburn,
Coffin,
Cook,
Davies,
DeCosmos,
Dymond,
Farrow,
Ferris,
Fleming,
Flesher,
Gibson,
Gillies,
Gillmor,
Gordon,
Greenway,
Hagar,
Haggart,
Hall,
Horton,
Kerr,
Kirkpatrick,
Laird,
Landerkin,
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
McKay (*Colchester*),
Mackenzie (*Lambton*),
Mackenzie (*Montreal*),
Maclennan,
McCallum,
McCraney
McGregor,
Metcalfe,
Mills,
Monteith,
Norris,
Oliver,
Palmer,
Paterson,
Pickard,
Ray,
Rochester,
Roscoe,
Ross *Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Rymal,
Schultz,
Scriver,
Shibley,
Sinclair,
Smith (*Selkirk*),
Smith (*Westmoreland*),
Snider,
Stirton,
Trow,
Wallace (*Albert*),
White,
Wilkes,
Wright (*Pontiac*),
Yeo,
Young—82

Nays :

Messieurs

Aylmer,
Baby,
Béchard,
Bernier,
Bourassa,
Jones (*Halifax*),
Jones (*Leeds*),
Laflamme,
Lajoie,
Langlois,

Bunster,	Lanthier,
Caron,	Laurier,
Casgrain,	Little,
Cauchon,	Macmillan,
Cheval,	McIsaac,
Cimon,	McQuade,
Colby,	Masson,
Costigan,	Mitchell,
Coupal,	Moffat,
Cunningham,	Montplaisir,
Currier,	Pelletier,
Cushing,	Perry,
Cuthbert,	Pettes,
Delorme,	Pinsonneault,
Desjardines,	Platt,
De St. Georges,	Pope,
Donahue,	Pouliot,
Dugas,	Power,
Ferguson,	Pozer,
Fiset,	Richard,
Flynn,	Robillard,
Forbes,	Robitaille,
Fournier,	Rouleau,
Fréchette,	Scatcherd,
Gaudet,	St. Jean,
Geoffrion,	Taschereau,
Holton,	Thompson (*Cariboo*),
Hurteau,	Thomson (*Welland*),
Irving,	Tremblay,
Jetté,	Wright (*Ottawa*),—71
Jodoin,	

Mr. MACMILLAN moved that the House go into committee on the Bill to-morrow.—Carried on the same division.

Mr. SINCLAIR moved for copies of papers and correspondence between the Dominion Government and the Government of Prince Edward Island, relative to the building of the Prince Edward Island Railway, and the transfer of the same to the Dominion Government. He said he had various reasons for moving for this correspondence. First he understood that the Prince Edward Island Railway had been accepted by the agent of the Dominion Government under protest, and he, (Mr. SINCLAIR) would like to see what the agent had to protest against, for that railway had not run one day since it was taken off the hands of the contractors. No doubt the weather had been the chief cause of this, but even if it had been fine, the rails and machinery were not good, and the opening might have been delayed. The Government had laid on the table correspondence up to June. What he wished to obtain was the subsequent correspondence relating to the transfer, and extending into November and December. If the terms of the contract had been fulfilled the railway should have been handed over to the Dominion Government in September, and it was expected every week that it would be opened for traffic. Speculators had purchased grain along the line, and after waiting until winter had set in were obliged to make an arrangement with the contractors for conveying the grain to the harbors. He (Mr. SINCLAIR) would like to ascertain whether the charges then imposed were to be continued in the future. If so it would be found that the road would be unprofitable. Many speculators not expecting the line would be worked this winter had purchased grain at the ports and shipped it by vessels. They found that they could do so much cheaper than conveying it by rail at the rates charged by the contractors. He did not want to see the tariff reduced below what would be a profitable rate for the operation of the road, but the Government would find that the Island was in a different position from the continent. Railways on the mainland passed through sections of country of which they formed the only outlet for trade, but on the Island the railway was obliged to compete with water transportation. He thought the Government should reduce the tariff, and he wished to know whether the correspondence for which he asked would contain any reference to the matter.

Mr. DAVIES said he was bound to admit that the Government had done everything in their power to open this railway. The gentleman sent down to manage the road went to the Island in May and was told by the contractors that it would be ready in July. He went in July and was told that although the trunk line was finished, it would not be handed over until the branches were finished, which would probably be in October. He returned in October and the road was not then ready. When it was handed over at last, a snow storm set in, and for ten days the road was blocked. He (Mr. DAVIES) made it his business to go to Mr. SWINYARD and tell him that it was unnecessary to waste fifteen or twenty thousand dollars in trying to keep this road clear of snow. It was covered with ice and could not be cleared. If it had been handed over at the proper time it could have been set in operation without this expense. Mr. SWINYARD, nevertheless, tried it for a week and failed. He (Mr. DAVIES) believed it was the worst road in the world, full of curves and easily blocked with snow. Time would show what tariff

ought to be established, but there was no fault to be found with the Government in this matter.

The motion was carried.

LEASES OF WATER POWER ON RIDEAU CANAL.

Mr. JONES (South Leeds) moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for a statement of Leases of Water Power made by the Department of Public Works between the Dominion Dam at the Whitefish and Kingston Mills on the Rideau Canal, both inclusive. Date of Lease or Leases; Time such Lease or Leases expire; Quantity of power rented and approximate power used during past year, under each Lease; with copy of Reports and papers, if any, submitted by the Superintendent Engineer of the Rideau Canal during the past twelve months to the Department of Public Works on this subject. This motion, he said, related to an interference with private rights, which he would endeavor to explain. In 1866 he brought this matter under the notice of the then Minister of Public Works, and some action was taken on it in the way of making reservoirs for supplying the Rideau Canal in low water. It had also been brought within the past few weeks to the notice of the Public Works Department but he did not know whether anything had been done in the matter. On reference to the office of the Superintendent of the Rideau Canal it would be found by the maps and plans there that there was a diversity of opinion among the Royal Engineers who built the western end of the canal, with regard to its outlet. One route was by the height of land and the Gananoque River through to the St. Lawrence; the other by the River Cataraqui to the Bay of Kingston. It would be seen by the plans that locks were proposed to be placed at the Whitefish where the Dominion dam exists. The route by the way of Kingston was taken for the reason, he supposed, that it was the head of river and the foot of lake navigation and also for the reasons that it was a long distance from the American frontier and a well fortified place. In order to take that route it was necessary to place the dam at the Whitefish to divert the water from it and the Gananoque to the Cataraqui River, so as to supply the Rideau Canal. Therefore, there was a diversion of the natural outflow of the Gananoque and Whitefish by the building of this Dominion dam, thus interfering with important private interests in South Leeds. At that time it was not a matter of great importance because the country was not cleared up, and there was not so much use for the water, and therefore it was not brought under the notice of the Government at that time. But the Government not satisfied with diverting the water from its original channel, had also leased water powers on the Rideau Canal for the purpose of getting a few hundred dollars into their coffers. He did not object, though he might do so, to this, but he did object to their leasing the waters of the canal in such a way as to interfere with private rights. At Gananoque he believed the present Government were making some inquiries into the matter. At that town the manufacturing establishments gave employment to between five and six hundred persons, and were run with water power. On the Whitefish and Gananoque there were some 800 hands employed in mills and manufactories, while on the Cataraqui there were only some fifteen men employed. In order to keep these men at work, the water supply was diverted from its natural channel, and 800 men were kept for months at work on half or three-quarter time. This was caused by leasing water to the extent of two or three hundred horse power where only twenty-five or thirty horse power was required. He hoped that the Government would see that these licenses when they expired were not renewed, or at any rate that no more water would be supplied than was actually paid for.

Hon. Mr. MACKENZIE said the hon. member for South Leeds had no doubt brought the subject before the House in order to call attention to it. The truth was that when the canal was constructed there was an ample supply of water for the canal and the works on the stream down to Gananoque, but as the country got cleared up the sources of water supply failed, and now there was not sufficient water for both purposes. He had given directions that in every case the leases for saw-mills and factories requiring very large power in proportion to the number of hands employed be cancelled as soon as possible, and that the water power should be given, whenever it was to be given at

all, to such factories as employed the largest number of hands. He was aware of the peculiar difficulties experienced in the section to which the hon member referred, and while the Government could not at present cancel the leases, they would be able to give some little relief to the works referred to. The Public Works Department would do every thing possible to meet the exigences of the circumstances referred to by the hon. member.

The motion was carried.

LONDON EMIGRATION OFFICE.

Mr. COLBY moved an Address to His Excellency the Governor General for a Return giving the annual amount paid, at the time of the late Mr. Dixon's death, for salaries, permanent and temporary, at the Dominion Emigration Office, London, England, distinguishing the yearly, monthly and weekly amounts paid to such officers or persons, also the amount of all personal, travelling or other expenses, the contingent expenses of the office and amount paid for rent; Also, the amount now paid for the same services and expenses, giving the names of all officers and persons now employed, nationality and previous residence, the designations and salaries of the same, distinguishing in the case of Mr. Edward Jenkins the salary paid him as Emigration Agent, and as Agent General.

The motion was carried.

EASTERN CONNECTION WITH THE PACIFIC RAILWAY.

Mr. MASSON moved an "Address to His Excellency the Governor General for copies of all correspondence between the Canadian Government and the Government of the Province of Quebec on the subject of Railway connections between the eastern terminus of the Canada Pacific Railway and the Province of Quebec." He said that his intention in placing the motion on the notice paper was to obtain from the Government a copy of the petition sent by the Legislature of Quebec in relation to the Quebec railway connection with the eastern terminus of the Pacific Railway. It was not, perhaps, of much use to submit the motion at the present time, because the question had been decided by the Government, and their policy had been supported by the House. He quite admitted that the hon. Minister of Public Works in considering anything that related to the position of the Province of Quebec on the Pacific Railway question was bound to follow to a greater degree the advice offered by his friends on that side of the House, than to the advice tendered by him (Mr. Masson) and his friends. He would have desired that the petition had received some consideration at the hands of the hon. Minister of Public Works, but after the expression which had fallen from the hon. member for Chateauguay on the subject of that petition, he had lost all hope of the wishes of the Legislature of the Province of Quebec, as manifested by an unanimous petition, receiving any consideration at the hands of the Government. He would not, therefore, appeal to the hon. member for Chateauguay—who had lately been appointed President of the Reform Association of Montreal, but not of Quebec—but to the hon. Minister of Public Works, and would leave the case presented by the Quebec Legislature in his hands. That hon. Minister had not up to this time said it was a moribund Legislature, and that its petition was not worth the paper on which it was written, and therefore, he (Mr. Masson) hoped that hon. gentleman would see his way clear, if he could not grant the first part of the petition (he was not expressing his own opinion but that of the people of Lower Canada as represented by their Local Legislature) he would take measures so that the line would not go to Renfrew and Douglas as was provided for, but would take means, as suggested by the Quebec Legislature, of carrying the route round by Pembroke.

Hon. Mr. HOLTON said the hon. member for Terrebonne had referred to an expression used on a former occasion in discussing the petition from the Legislature of Quebec. The hon. member seemed to think that the expression was a very peculiar and offensive one. A little reflection would lead the hon. member to the conclusion—what he certainly meant to convey—that in the use of that expression he meant to emphasize this and this only: that the address referred to was passed in the last moments of the last session of that Legislature. A moribund Legislature it was necessarily—moribund, for it could not meet again, and an Address was passed at the very last moment of its last session without very much discussion—without

indeed any discussion at all. It was moved by Mr. CHAPLEAU, the colleague of the hon. member in the representation of Terrebonne, the late Solicitor General. He left the Government for reasons which he would not now dwell upon, but for reasons which were perfectly well understood in the Province of Quebec. He characterized it as a moribund Legislature, and used another term which he need not repeat, as the hon. member had not referred to it. He would only say further that he was quite ready to debate over again this question of the route of the extension of the Pacific Railway if the hon. gentleman desired it. If he desired to renew the sectional conflict which he invited the other night, and which was attended with results to the hon. gentleman and his party, the most signally fatal that he had ever known, he was again prepared to meet the hon. gentleman on broad national grounds, or which he (Mr. HOLTON) desired to consider every question brought before this House. The hon. member, whether he was aware that the question was referred to a Committee of the Legislature, and that it was after they had reported thereon that the House unanimously adopted the petition. He asked the hon. member if he did not know that when that "tarnished" and "moribund" Legislature passed the resolutions unanimously, the most distinguished members of the Opposition were present, including MM. JOLY and MARCHAND, whose names were honored by both sides of the House, whether they did not agree to the resolutions.

Hon. Mr. HOLTON said the hon. member ought to have made his entire speech when placing the motion in the hands of the SPEAKER, for he (Mr. HOLTON) had no right to reply to these last remarks. He would not put himself out of order by speaking to the motion now. He would nevertheless be gratified to have an opportunity of expressing his opinion of the miserable policy pursued by the hon. member in dragging this question, in season and out of season, before the House, in order to raise, as he believed, in certain constituencies, a sectional agitation utterly unworthy of him—utterly unworthy of any political party which had any expectation of a future in this country.

The motion was carried.

Mr. LAURIER said the hon. member for Terrebonne had made an attach upon the Government, because it had not followed the advice of the Legislature of Quebec, but he (Mr. LAURIER) did not attach the slightest importance to the advice of that Legislature, for in railway matters that Legislature has shown that it was influenced by political jobbery. Last year the Quebec Government had adopted a policy called the Railway policy for subsidizing all the Railway lines in course of construction in the Province. A certain Railway known as the South Eastern Counties Railway was promised a subsidy of some $2,000 per mile, but this year the Government had refused the subsidy to the company, although they had granted a subsidy to certain other companies. What was the reason? No doubt a reason was given, but the real reason was that in the interval between the two sessions the "Tanneries Scandal" had taken place, and the conservative representatives for Brome, Drummond and Arthabaska had refused to follow their party in that scandal. They had seceded from the party; and that was the only reason that could be given for the refusal of the Government to subsidise the company. He considered this was political jobbery, and the hon. member for Chateauguay had properly said the Legislature was a "tarnished Legislature." He could not blame the Dominion Government for not following the advice of the Legislature for Quebec.

Mr. BABY did not think that because the Quebec Legislature was approaching dissolution it deserved the title of a "moribund Legislature," and he considered that the expression "tarnished Legislature" should have not been made use of. The Railway policy of the Quebec Legislature having been passed unanimously the responsibility, therefore, must certainly belong to the friends of the hon. member who supported his side of politics. He respected Mr. JOLY very sincerely, but he and his friends could not be very proud of the expression thrown in their faces by the hon. member for Chateauguay. There was an English saying to the effect that "It was a dirty bird that defiled its own nest." He would not make any application of the saying in this case. He had never heard within the walls of this House a member from any Province talk of his own Legislature as the hon. members for Chateauguay and Arthabaska had done.

Mr. LAURIER—Fortunately for the other Provinces.

Mr. BABY said there were things that happened in other Provinces like that which had happened in Quebec, but they had the good sense to wash their own dirty linen in private; but in Quebec they had to expose these little infirmities before the great public. He thought the hon. members for Chateauguay and Arthabaska would regret having used such strong language.

Mr. MACKENZIE explained that when he had stated we had not received the address of the Quebec Legislature it had been in the office of the Provincial secretary, though he (Mr. MACKENZIE) had not known it, and it had afterwards come to him.

Mr. MASSON said that when he had asked about the petition he had received a telegram from Quebec that it had been sent to Ottawa about ten days before.

Hon. Mr. HOLTON said the hon. member had refered to that address in a debate on another subject and had based arguments upon it and had extolled the action of the Province of Quebec. He (Mr. HOLTON) had characterized the legislature of that Province in his own way, and he was prepared to repeat that characterization and stand by it on every hustings in the Province of Quebec.

Hon. Mr. POPE said he thought his hon. friend was mistaken, and that it came with ill grace from any member of this House to attack the character of gentlemen in other Legislatures. The South Eastern Counties Railway had not received aid, not because the Government had not received political support from its promoters, but because the railway was in a different position from the others, and did not come within the category of railways that the Quebec Government had proposed to aid. The road had been built previously to the adoption of the railway policy; but still it had a year ago received some assistance.

Hon. Mr. HUNTINGTON said he would not enter into the merits of the South Eastern Railway; nor would he here discuss the question whether the Quebec Legislature was tarnished; but he had an impression that the Quebec Government had been influenced by the amount of support it received. The year before the South Eastern Road, though it was built, had been in the list for Government aid, for all the people having interest in it were supporting the Government; but the hon. members for Brome, Megantic, and Drummond, and Arthabaska had refused to support the Government in the land swap and the objections to aiding the road had been discovered. He agreed with his hon. friend that the relations of the Government and the Province of Quebec should not be discussed here, and he would not discuss them unless forced, because he wished to be complimentary to that Province and it would be impossible for him to speak in any such sense as he would be glad to speak of the authorities of his native Province. It was better to draw a veil over what had occurred there and in order that the small and narrow policy and bigoted disposition in the dispensation of patronage should not be exposed and bring the Province of Quebec into disrepute. If there were a little forgetfulness of the local elections, and of the manufacture here of political capital, with the view of effecting them, it would be much better.

Hon. Mr. POPE said the road had received a $1,000 per mile, aid, and others had got a much larger sum.

The motion was carried.

WHITBY HARBOR.

Mr. GORDON moved for an address to His EXCELLENCY the GOVERNOR GENERAL for a Return of the Report and Survey of Whitby Harbor as made by the Government Engineers during the Summer of 1874; with all correspondence respecting the condition of said Harbor and piers, depth of water and general efficiency as a Harbor of Refuge. He said the Government Engineers had made a very careful survey of the harbor and reported; and he wished to have this report brought before the public. He trusted action would be taken at an early day as Whitby Harbor was a most important one, and afforded an outlet to a large section of country; but owing to the shallowness of the water there was considerable difficulty in entering it and if it were improved it would be used by a larger class of vessels than at present.

The motion was carried, and the House adjourned to Thursday at 3 o'clock.

HOUSE OF COMMONS,

Thursday, 18th March, 1875.

The SPEAKER took the chair at three P. M.

THE LENGTH OF THE SESSION.

Hon. Mr. HOLTON said before the orders were called he would like to invite the attention of the First Minister to a matter in which hon. members of both sides were deeply interested, and that was the probable period at which this session would be brought to a close, and also the manner in which his hon. friend would deal with the Easter adjournment. They had all been exerting themselves to bring the necessary business of the session to a close before Easter if possible, but it must be evident to all now, without any intimation from the Treasury Bench that that was out of the question. In previous sessions it had been customary to adjourn for three or four days at Easter : but as Easter had fallen at an earlier period than this year, three or four days were of less importance than on the present occasion. He, therefore, suggested that there should be an adjournment for Good Friday, and that the House should sit on Saturday and again on Monday. By having an arrangement of this kind there was a strong probability that they could get through during Easter week, whereas if they adjourned for three or four days, hon. members would come back refreshed, and the close of the session might be potsponed indefinitely.

Hon. Mr. MACKENZIE said the state of public business was such that it would be utterly impossible to adjourn before Easter. He thought there had been no delay from any cause whatever on the part of the Government during the session, and while he was anxious to get through the work as soon as possible, it was evident they must give a good deal of consideration to several measures which had yet to go through stages. He had always taken the ground, when not charged with the responsibility with which he was now charged, that with so many members coming from a distance there should be no long adjournment, and these reasons were stronger now at the close of the session. He proposed to continue to sit on Saturday week—after Good Friday—and again on Monday, and he believed there was no objection to doing so. By adopting this course they might reasonably expect to get through business during Easter week, and that, too, without having more than one session each day.

Hon. Mr. CAMERON (Cardwell) called the attention of the Government to the propriety of making some change in the "Orders of the Day" so as to put "Private and Public Bills" before "Notices of Motions." A great number of the latter come to nothing, but through their precedence the consideration of Public and Private Bills of great importance was often postponed to a very late period of the session, if they came up at all.

Hon. Mr. MACKENZIE said he would like to have the opinion of the House on this matter.

Hon. Mr. MITCHELL did not agree with the suggestion made by the hon. member for Cardwell. It was true a great many of the motions might come to nothing, but hon. gentlemen did not place them on the paper without some good reason. The adoption of his hon. friend's suggestion would have the effect of postponing almost indefinitely a large number of those motions. Some of them had been on the paper for three or fours weeks already, and some might not be reached this session. Many of them might be dispensed with, but others were important, and if they were place below Private Bills, it might be necessary to drop them. The Private Bills were always reached in some way or other.

Hon. Mr. HOLTON thought the object of the hon. member, for Cardwell was to secure a better opportunity than now existed, of pressing Private Bills in the hands of members. His (Mr. HOLTON'S) opinion was that the present order of business secured consideration of all those. It was a very rare thing for such Bills to be left over, the difficulty was with respect to public bills, many of which were introduced late in the session. They should be placed on the table at an early date, when that was done they could be got through in good time. This year the House had yielded one of its days to the Government. Next session they should resist an application of the Government for an additional day at so early a period. By retaining Thursday, and introducing public bills earlier there would be no difficulty in getting over the business in good time, and it would be unnecessary to change the rules of the House.

THE TREATY VIOLATION.

Mr. JONES (Halifax) brought under the notice of the House and the Government a matter which he considered of sufficient importance to be submitted on the earliest possible occasion for their consideration. It was known to hon. members of this House that the Washington Treaty of 1872 provided for the admission of the products of the British North American Fisheries into the United States on terms equal to those under which the products of the American Fisheries were admitted into the Dominion. It was specially provided that the fish-oils and fish of all kinds, excepting the products of inland lakes and rivers, as fish preserved in oil shall be admitted free of duty. He had within the last few days received a communication which showed that Congress had, at its last session, imposed a duty on an article of commerce in which the people of the Maritime Provinces were largely interested—that was canned lobsters. It was quite clear that, under the first article of the Treaty, lobsters merely boiled and not preserved in oil should be admitted duty free into the United States. Congress in order to establish a differential duty in favor of their own products, had imposed a duty on the cans in which the lobsters were packed, of one and a-half cents on each one. These cans cost two and a-half cents each, and consequently the duty was equal to sixty per cent. on the cost of those packages in the Dominion and equal to ten per cent. on the cost of the article when packed in lead for exportation, and the exports of canned lobsters from the Dominion amounted, during the last year—that for which the public can be furnished returns,—to $571,000 and a duty of 10 per cent. on that would amount to over $50,000. That of itself was an amount of considerable importance to one branch of our industry ; but when the House considered the fact that if we acquiesced in this decision by the American Government the same principle would apply to all packages of a similar nature, and would be practically a duty in favor of the American fishermen on herrings, mackerel, ale-wives and fish-oil. He held it was a grave violation of the Treaty of 1872 which should be brought before the House in order that the Government might be called upon to make such representations to the United States authorities as would put a stop to legislation, hostile to the commerce of the Dominion. He hoped the question would be considered of sufficient importance for the House and the Government to deal with it at the earliest possible moment.

Hon. Mr. MACKENZIE said the subject had not escaped the notice of the Government and representations had been made to the United States Government already. The contention of the Washington authorities was that although lobsters and fish might be entered duty free, they were entitled to charge duty on packages, which was a most unreasonable course ; but so far the Government have been unable to obtain any relaxation from what the United States Government were pleased to call an order within their competency. This Government proposed to make further representations on the subject through the British Minister at Washington. Of course they could do nothing more.

Hon. Mr. BLAKE said if the American Government persisted in such a course it would destroy the whole benefits of the Washington Treaty, in so far as it related to any articles contained in packages. Take for instance the barrels in which the articles were packed. If this principle were correct, the duty on them might be made even more extortionate than on the cans containing lobsters which was ten per cent. on the whole products. They might as well make a hundred per cent. and turn it into an actual prohibitory duty. He held it to be a good law that if we were entitled to send fish free of duty we were, also, entitled to send that which contained the fish free of duty ; otherwise there was no protection at all under the Treaty. Of course the Premier was right in saying that his Government could do no more than make representations to the British authorities. But he hoped it would not go to the world that our protests were unavailing. He could not believe that the great nation with which that Treaty was made would persist in violating the very letter of it as well as the spirit.

Hon. Mr. MACKENZIE said the Treaty had been violated in another particular. It was held by the Treasury Department at

Washington that it did not apply to British Columbia at all, and the Minister of Justice had given his opinion that we were entitled to the benefits of the Treaty in British Columbia as well as in any other parts of the Dominion; still we had not been able to obtain a recognition of that fact. With reference to the duty of 1½ cents on each can containing lobsters the Government had given a drawback on tin entering into the manufacture of these cans, but it was not nearly equal to the amount of the duty imposed on them by the United States.

Right Hon. Sir JOHN MACDONALD said the doctrine laid down by the hon. member for South Bruce was a true one. If any manufactured articles could be sent free, the package, without which it could not be exported, should go free also. The duty could only be imposed when the package could be made a cover for introducing an article of commerce which was not admitted free, which often happened when lead was run into busts and statuettes in order to avoid duty, but this was a different case. With respect to the other branch of the subject in which it was alleged that the products of the British Columbia fisheries could not be admitted free of duty into the United States, he had no hesitation in saying, so far as his humble judgement went, they should be allowed to go free as well as similar products on the Atlantic coast. British Columbia was not a portion of Canada when the Treaty was made, but it was now by addition; and all treaties affecting Canada would affect British Columbia precisely as all treaties of commerce between the United States and England applied to Texas, as if it had formed a portion of the Republic at the time those treaties were made.

Mr. FLYNN said that this was a very important matter. If the principle upon which the American Government justified the taxing of fish—because it was nothing more or less than putting a duty on fish—was recognized, they could tax the whole of the products of our fisheries, for the only kind exported without packages was dried fish, and that was principally sent to the West Indies. Mackerel, herrings, and ale-wives must be sent in packages, therefore, if the American Government could tax lobsters on the plea that they could tax cans, then they could tax the barrels in which the fish were contained, so that would go for nothing. He trusted that something more than mere remonstrances from this Government would be made.

Mr. McKAY said the industry of packing lobsters was almost in its infancy in the Lower Provinces, and if a differential duty were imposed on it, it would seriously affect this industry in Nova Scotia and New Brunswick, for the export amounted to some $500,000 during the last fiscal year. He had no doubt whatever, that in the course of four or five years it would increase fully 200 per cent. This duty could not be imposed on lobster cans because they were of no possible commercial value in the United States after having been used once. It was certainly desirable that we should know the position in which we stood, and whether this Legislature was to be followed up by the imposition of similar duties on all the products of our fisheries. We could not allow the principle to be recognized in this treaty, and permit the imposition of such a tax.

INSURANCE BILL.

Hon. Mr. CARTWRIGHT moved the third reading of the Bill respecting Life Insurance Companies, and Companies doing an insurance business other than Fire and Inland Marine.—Carried.

CULLING OF TIMBER

On motion of hon. Mr. GEOFFRION, the House went into Committee of the Whole to consider further amendments to the Bill to amend the Act respecting the culling of timber. Mr. PELLETIER in the chair.

After the Bill had been amended in certain particulars,

Hon. Mr. MITCHELL inquired whether the Bill precluded merchants and lumberers in country places, for example at Chicontine, from employing their own cullers, or compelled them to obtain the services of Quebec cullers.

Hon. Mr. GEOFFRION said the Bill had no such intention.

Hon. Mr. MITCHELL—It is entirely voluntary?

Hon. Mr. GEOFFRION—Certainly.

The amendments were read and reported.

CONTROVERTED ELECTIONS.

Hon. Mr. FOURNIER moved the House into Committee to further con-

sider the Bill respecting Controverted Elections. Mr. DELORME in the chair.

Hon. Mr. BLAKE said he observed in the reprinting of the amendments that the period within which the trial must take place was fixed at six months from the day of presentation of the petition. As the Bill was originally printed, the period within which the trial should take place had reference to the period at which the petition was at issue, and it was with reference to that proposed clause that he submitted, when the House was in Committee, an amendment which they adopted as to an elector having the right to apply to have his name substituted, and placing the time at three months from the date from which the petition was at issue. He would therefore move that instead of the words "at issue" the words "has been presented" should be added. He did not object to the period of six months as that within which the petition was to be filed, but if after a general election such a large number of petitions should be presented as had been presented in respect to the recent local election in Ontario it would be with some degree of difficulty, or at any rate not without very great diligence that all the petitions could be disposed of within six months of the time of their presentation.

Hon. Mr. CAMERON (Cardwell) said there would be five or six Judges conducting the trials.

Hon. Mr. BLAKE said there was a certain time allowed for answering and other preliminaries, and the effect was to reduce the time to three months. If between thirty and forty petitions were presented, the Bench of Ontario would be pretty much exclusively occupied in disposing of them within the three months.

Mr. PALMER thought the time had better run from the date the petition was at issue.

Mr. LAFLAMME moved the following amendment:—

"That the following be added to the same Bill. That whilst doubts have arisen as to the proper construction of clause 73, 101, and 103 of the Dominion Election Act, 1874, and as to the effect upon elections held under the said Act of the avoiding of previous elections, be it enacted that elections held under the said Act, as well as elections already held, as elections hereafter to be held, shall be deemed and taken, as respects both candidates and voters, to be new elections in law, and in fact to all intents and purposes whatsoever.

That the last mentioned section shall apply also to the Election Act of 1873."

The amendment was carried and the verbal alteration suggested by Hon. Mr. BLAKE was adopted. The necessity of that amendment he said arose from the fact that in Ontario there had been differences of opinion as to whether under the decisions rendered in England on elections which had been voided was not a continuous election until the exigencies of the writ were fulfilled. Consequently a party who had been elected once and came forward a second time after the voidance of the election would be liable to accusations of corruption by agents, which had been already settled by the first contestation. The object of the amendment was to make plain the real meaning of clause 73.

Mr. COLIN MACDOUGALL (Elgin) inquired whether the amendment would apply to a case where an election had been declared void on account of bribery by agents, although no participation in these acts had been proved against the candidate himself, and where the latter again contested the seat.

Hon. Mr. FOURNIER said it would so apply.

Mr. MASSON inquired if the amendment was intended to have a retro-active effect

Mr. BOWELL—It has that effect.

Mr. MASSON said the hon First Minister was the guardian of their rights in this House, and he hoped he would see it had no retro-active effect.

Mr. LAFLAMME said it was merely a logical interpretation of an existing law and consequently it must have a retro-active effect, but only from the day the original legislation went into force.

Hon. Mr. CAMERON (Caldwell) stated that if the amendment were allowed to go through committee, concurrence should be taken to-morrow, and it could be carefully considered as it seemed that its effect was was rather broader than was at first supposed.

Hon. Mr. BLAKE suggested that it would be printed in the journals of the House when its meaning could be carefully considered. He thought it should be made perfectly clear that this House never intended to provide that a man who had been unseated once for acts committed by

his agents without his authority should be disqualified for being a candidate at the following election. He understood it to be the intention of the hon. member for Jacques Cartier that this amendment was simply an interpretation of the law, which we were quite competent to make clear.

Hon. Mr. CAMERON (Cardwell) mentioned that the courts had already decided two cases in the line of the amendment, and on the second case there was already an appeal against the decision. There was no reason why there should not be this interpretation of the law; but the difficulty was that it might go further than anticipated.

Mr. LAFLAMME said it was not his intention that it should go any further.

Hon. Mr. BLAKE said that if this House by some mistake had legislated so that a man unseated for corrupt practices by his agents without his knowledge was disqualified from running again, they should correct the mistake, and he was quite prepared to support the requisite retro-active legislation. He would not favor the removal of pains and penalties for the prevention of corrupt practices at elections; but he considered that it was preposterously absurd that a man should undergo the disgrace and humiliation of being disqualified for a new election because was unseated for the corrupt acts of his agents at a former election, and of which corrupt acts he had no knowledge. If the House had done wrong it should repair it. The courts had declared that it had not done wrong, but the House had better make it clear beyond all doubt.

Mr. BOWELL said as he understood the amendment, it went a long way beyond the point to which the hon. member for South Bruce referred. He thought the House did not for a moment desire or intend that any member unseated for corrupt practices by agents without his knowledge should be disqualified for running again; but he understood the object of the motion to be more particularly that in the case of an election, held after a member had been unseated, it should be held to be a new election; and all the faults committed at the first election should not be brought up for judgment against him, but it should be held as if the first election had never taken place. He could see the importance of that as there were cases before the court hinging upon that very point. Under it a man might purchase his election with the firm conviction and knowledge that he would be unseated, but at the second election he would be returned by a majority of votes purchased at the first election, and who would be sure to go for him again. He was certainly of the opinion that this House should not adopt the amendment without giving it more careful consideration as upon a hasty reading he thought it was open to serious objections.

Hon. Mr. CAMERON (Cardwell) said his hon. friend would see that the case was different if a man were clearly proven guilty of corruption. The question was whether a man who had been unseated for corrupt practices, and it was proved he had no part in them, and had nothing to do with the bribery and corruption by the means of which his election had been set aside, should be disqualified for a second election. The courts had held that the Legislature had never intended that the law should have such an absurd meaning and the Legislature now proposed to declare what the courts had said was the law.

The Bill was reported.

PROTECTION OF PERSONS AND PROPERTY ON RAILWAYS.

The Bill for the better protection of persons and property conveyed by railways was read a second time and referred to a Committee of the Whole.—Mr. ST. GEORGE in the chair.

The Bill was reported, read a third time and passed.

NOVA SCOTIA COUNTY COURT JUDGES.

The Bill to provide for the salaries of County Court Judges in the Province of Nova Scotia, and for other purposes, was read a second time.

The Bill was reported, read a third time and passed.

COPYRIGHTS.

Hon. Mr. MACKENZIE moved the second reading of Bill respecting copyrights (from the Senate.)

Mr. DYMOND said he would briefly refer to the circumstances under which this question came before the House. Two years ago an Act was passed by the Dominion Parliament, if not at the instance, with the sanction, of the Government, the

object of which was to place the publishers of Canada on an equal footing with those of the United States. For 25 years United States publishers had exported to Canada reprints of English copyright works, a custom duty of 12½ per cent being exacted by our customs officials for the benefit of the authors of those works, on their importation into this country. The Act to which he had alluded passed by the Dominion Parliament in 1872, gave similar privileges to publishers in Canada, they paying, not a customs duty, but an excise duty, or royalty of 12½ per cent., which also was to go to the original holders. That Act had remained for nearly two years in the hands of the British Government, he believed, without any intimation being given to the Government of Canada as to the course that was to be taken with reference to it. During the last session a member of the Senate and himself (Mr. DYMOND) moved an address in their respective Chambers, asking that the Act be not allowed to expire by efflux of time. He did not anticipate any immediate results of a satisfactory nature from those appeals. It must have been evident to the House, as it was to himself, that when the Act had lain for so long a period unnoticed, and a change of Government had taken place in Great Britain, it was useless for us to expect it would be revived and made a living enactment. However, the object of their respective motions was to obtain from the British Government the series of despatches relating to the final disposition of the question so far as it stood at that time. Lord CARNARVON gave three reasons for the Bill being allowed to expire. The first was that the Imperial Copyright Act of 1842 extended throughout the whole of the British Dominion. The second was that the power of Canada under the British North America Act was strictly limited to local copyright, and the third was that as our Act contravened the Imperial Copyright Act of 1842, it would be useless for the Crown to assent to it, because it was *ultra vires* and the courts would set it aside. It would, therefore, be no protection to the publishers of Canada, being unconstitutional. Lord CARNARVON closed his despatch in these words :—

"I will only now express my readiness "to co-operate and my confident hope that "we may without difficulty be able to "agree in the provisions of a measure "which, while preserving the rights of "the owners of copyright works in this "country under the Imperial Act, will "give effect to the views of the Canadian "Government and Parliament."

The views of the Canadian Government and Parliament were strictly contrary to those of the publishers in England, and there was no hope, therefore, that by any such legislation as we were proposing at the present time or had proposed in the past, we could effect the result we desired. The Bill before them so far as it went was a good one. It was a Bill which certainly extended in some degree our existing copyright law, the law of 1868; but so far as the object of the Bill of 1872 was concerned, the Bill for which we had been contending for many years, this Bill was of no avail whatever. When he said, a few evenings since, it might probably have been better not to have attempted to legislate in this matter, he meant that it was possible we might, by implication perhaps, discourage those further exertions which, he held, we ought to use in order to obtain the rights unjustly withheld from us. The gist of the Bill was to be found in the third and fourth clauses, including the subsections of the latter. Under the former copyright law of Canada, "any person resident in Canada, or any person being a British Subject and resident in Great Britain or Ireland" might obtain copyright in this country on registering his work and having it printed and published here. The new law would go somewhat further. Any person domiciled in Canada, or in any part of the British possessions, or being a citizen of any country having an international copyright with the United Kingdom, who was author of a book, might, on condition of his obtaining a copyright in Canada, on printing or re-printing, and publishing or re-publishing it here, have all the protection which it was within our power to afford him. The wording, "a citizen of any country having an international copyright with the United Kingdom," obviously suggested that the inhabitants of the United States were excluded. The United States had acted with respect to the copyright question in a manner the most discreditable, and had refused from time to time to enter into those international arrangements which many European

countries had entered into with Great Britain, in order that the subjects of either country might be mutually secured in the matter of copyright. But he was inclined to think that we would gain, not lose, if we had left the clause entirely without restriction, and induced the people of the United States to come here, if they would, and take out copyrights, always, of course, providing that the works should be printed and published in Canada. He believed we could print and publish far more cheaply than could be done by the United States, and although we might seem to be giving a boon it would be one that would redound to our own advantage. But the feature in the Bill which had caused it to be most favourably regarded by publishers, and therefore deprived him to a certain extent of that moral influence which he might have expected to receive did he endeavour to press the question further, was what was called the interim copyright clause, which gave the person intending to take out copyright an interim copyright for one month from the date of the original publication elsewhere. The object of giving that time was said to be to provide that advance sheets might beforwarded from England and a month was taken in order to cover any possible delay. He was inclined, however, to think that the object of that clause was to obtain, not a protection so much to vested rights as a certain amount of trade protection to the publishers here, and it might be, to the British publishers at home. But the clause was not a protective one to an extent that would render it really effective. The penalty contained in the Bill was $100 to be levied on any person who having taken out an interim copyright, failed to print and publish the work here and keep faith with the Government; but as those persons might be scattered over the whole British Dominion it would be exceedingly difficult to collect the penalty. Again, there was a clause which at once showed the difficulty in which we were placed, and how the Bill fell short of the purpose intended. Again sub-section 4 of section 10 very properly admitted newspapers and magazines, containing portion of British copyright works. Now, it was perfectly impossible to say when those periodicals came into Canada what were and were not portions of British copyright works. We could not discriminate, and consequently could not exclude. In more or less express terms the Bill assents by section 15 the validity of the Act of 1842. If it did controvene that Act we knew it would be invalid; if not, then it practically failed to touch the one question at issue. If the British publisher or author chooses to disregard our law he falls back on the Act of 1842. A British author might make his bargain with an American publisher to take out no copyright in Canada, and his reprints would come in here while our publishers were bound by their allegiance to the law, and the right to sell reprints was expressly recognized by sub-section 2 of clause 15. The old sore thus remained, and the Bill altogether failed to heal it. This opened up the larger question at which he just hinted the other evening as to the extent to which our power of self-government should go. Of course it would be very presumptious in him, in the presence of many constitutional authorities, to point out precisely the extent to which it might be desirable to expand our existing privileges, but he thought the House would agree with him that in a question so purely domestic in its character as the publication and circulation of literature, the people of Canada ought to be able to legislate exclusively in their own interests. He was the more disposed to think we ought to possess that right because we were excluded from it apparently by something in the nature of an accident. Up to 1814 the Copyright Act of Great Britain did not extend to Canada, and this country would have had a right had we possessed publishers with sufficient energy to publish copyright books, without any fear of the consequences to the publishers. Up to that time the expression used in the Act was "British possessions in Europe," but in that year the two words "in Europe" were omitted, and from that time our privileges had been circumscribed. The Act, however, of 1842, which copied pretty nearly the phraseology of the Act of 1814, was the one with which we had at the present time to deal. Now, on an examination of the debates in the English *Hansard*, which took place in both Houses of Parliament when that Act was passed, he found not one single reference to the question of Colonial copyright. The whole question turned on the abstract rights of authors to

copyright, and on the question as to the limitation of the time for which copyright should run, and which was by that Act extended. Canada was at that time, it would be remembered, barely entrusted with responsible government. We were still combatting for that larger measure of freedom which was afterwards conceded, and subsequent to 1842 Imperial officers in Canada were invested with the power, which they exercised in the most arbitrary manner, of seizing and even burning those works imported into Canada which were an infringement of the Imperial copyright Act to which he had referred. The result of this state of things was the excitement and interest in the question which led to the passage of the Act of 1847 in England, followed shortly afterwards by the Act of the Legislature of Canada, allowing American reprints to be introduced into this country. He thought the abstract question of copyright need not be discussed. He was not sure whether in sound economical principles either copyright or patent rights ought to be granted; but copyrights were granted at all events to its own subjects by every civilized nation. He did not think it would be expedient for us to refuse to grant them to our own countrymen in Great Britain or Canada, indeed he was prepared to say that it would be eminently inexpedient and unwise were we for one moment to refuse a British author any right which we would propose to give to our own people. But his contention was that no man had a right on Canadian soil to claim a copyright except under Canadian law, and that we were simply bound to give an author facilities for obtaining copyright, leaving it to him to avail himself of those facilities or not as he thought proper; and if he did not respect our laws, if he did not think it worth while to take the protection, then he had no right to ask for protection if we dealt with his productions of the brain as we dealt with anything else found on the soil for which there was no owner. He would suggest therefore in the first place:—that the British North America Act be amended so as to give us exclusive and entire jurisdiction over copyright; and in the second place that we should grant copyrights to all persons printing and publishing works in Canada—that was to say—that they must, in order to obtain a Canadian copyright contribute to the wealth and taxation of the country by encouraging that branch of industry with which copyright was connected, and finally that any person not availing himself of that privilege within a reasonable time should lose the right of claiming protection. In asking that, he did so with some confidence because he was convinced that no legislation we could adopt—no efforts we could make by the aid of our Custom House machinery would even succeed in excluding American reprints from the Canadian market, and they would enter our country either in a fragmentary manner through the magazines or in the form of published works. Complaints had already been made in the House that tons of American periodicals came into this country under the postal connection with the States, and he ventured therefore to say that notwithstanding everything we could do to the contrary, so far as excluding American reprints was concerned, the Postmaster General would be the most successful smuggler in the whole Dominion. That being the case it became the more important that we should seek to place our publishers on such a footing as regards our American rivals that they might be able to enter the market with the possibility of successfully competing with them. If this question went before the British Parliament again as a mere trade issue we would be over-weighted, but if we asked it as a national right, which it was originally, he believed, intended to have conceded to us, and which might have been conceded had the matter been brought prominently forward at the time of Confederation, or which might have been granted to us in 1847, but that the Ministry of that day thought the Canadian publishing trade was too small to be of importance,—the right would not be with held. The very fact that the Confederation Act gave us the power to deal with patents went to show that our present position on the copyright question had elements of injustice in it. He was not disposed at that time to raise the general question of our relations with the Mother Country. He held himself at liberty at all times and seasons to speak plainly on that great question when it came before the House. He did not think they would be really disturbing the Constitution, assuming that they were disposed to press the question on the attention of the Imperial authorities. He con-

tended that whilst a dependency of Great Britain and an integral part of the Empire it was our duty to have due regard to all that might be termed Imperial interests, but he denied that it was the duty of the Canadian Parliament or of the British Parliament to subordinate the interests of Canada to the interests of individuals in Great Britain. He thought we had had within the last few years—almost within the last few months —several instances showing the need for taking a firm stand on this question. We find even now we were called upon to say who should or who should not invade our territory in the interest of a telegraph monopoly. We found on a recent occasion, when proposing to make some alterations in our fiscal araangements, that a number of British manufacturers had rushed to the Colonial office and desired that the tariff of Canada should be adapted to their interests. The question before them was another of the class of occurrences which suggested the necessity for protest. While he wished our connection with Great Britain should be perpetual, he did not believe that the way to make that connection permanent, and to bind us together as one nation was to allow any part of our people to feel that they were subjected to a wrong or an injustice.

Hon. Mr. MACKENZIE said that the Bill was admitted to be a compromise between British publishers and authors and our own publishers. Whatever might be thought by the House on the question of the desirability of our having entire control over copyrights—and he did not differ much in opinion from the hon. member for North York in that respect—still the fact remained, that we did not possess such control, and it had become a matter of urgent necessity to have some settlement rather than allow the recriminations which had been going on during the last two years to continue. The Bill, admittedly, was a considerable improvement on present legislation, and the Government had to deal with circumstances as they existed, and to endeavor to obtain the best possible results from the materials they possessed. The Government had devoted considerable attention to the measure before the House met, and the Bill was the result of deliberations held with Canadian publishers, English authors and other persons who had taken an interest in the subject of copyright, and the Government believe that while no serious exceptions would be taken to the Bill in England, it would fairly meet the wishes of the Canada publishers at the present time.

The Bill was read the secoud time.

The House went into committee, Mr. DYMOND in the chair, and reported the Bill without amendment.

The Bill was read the third time and passed.

THE SEAMEN'S ACT.

On motion of the Hon. Mr. SMITH (Westmoreland) the House went into Committee to consider the expediency of extending provisions similar, as circumstances permit, to those of "The Seamen's Act, 1873," to vessels employed in navigating the Inland Waters of Canada—Mr. MILLS in the chair.

Hon. Mr. SMITH (Westmoreland) said it had come to the knowledge of the department that a good deal of inconvenience was caused shippers and shipowners in the inland lakes—particularly in the case of vessels going to American ports when the men could desert—and it was proposed to adopt and extend such provisions of the Seaman's Act of 1873 and 1874 as would be applicable.

Hon. Mr. MITCHELL asked if it were intended to apply to all the provisions of the Act of 1874 to the inland waters.

Hon. Mr. SMITH said there were many of the provisions of the Act of 1873 that would not apply. The principal part was that which required the men to sign shipping articles of agreement.

Mr. KIRKPATRICK said he thought the main principle of the measure which had been introduced would be acceptable to ship-owners and seamen on our inland waters. No doubt a great practical inconvenience had been felt by reason of the want of these shipping articles. Captains of vessels had often been placed in an unfortunate position on going into an American port, and having no written contract were liable to be hauled up by any seaman who gave in his own oath a statement of his agreement, often contrary to the real agreement; and therefore this agreement should be in writing. There were many provisions in the Act which he was sure the hon. minister did not

mean to have applied. The resolution was very vague—it said to "apply the provisions of the Act as far as practicable," but there were many provisions applicable that were not required. The resolutions ought to be amended so as to state what provisions were to be applied.

Hon. Mr. SMITH (Westmoreland) said if he had brought down all the provisions of the Act it would take a day to get through them. When the Bill founded on the resolutions come up objections could be taken to it.

Hon. Mr. MITCHELL trusted his hon. friend (Mr. KIRKPATRICK) would accept the suggestion of the hon. Minister of Marine.

Mr. NORRIS said that any Act of this nature should be made so as to give as little trouble as possible to vessel-owners and masters, as the Act stated that the crew would have to be engaged before a shipping master or Custom House officer, which could not be complied with on our inland waters without a great deal of delay as the vessels passed night and day through our canals when these officers would not be on duty, consequently vessels would be delayed too long to remain until these officials come on duty the next day. He thought the engagements with the crew should be made by the master without waiting for any Custom House officer or Shipping Master. He saw that a clause required any erasures, interlineations or alterations in the agreement must be made before a Consular officer or a Customs officers of HER MAJESTY'S Dominion. It would be almost impossible to do that at all times; and he thought the measure should be amended so that such alterations or interlineations could be made before two respectable witnesses.

The resolutions were reported, and a Bill based thereon introduced by hon. Mr. SMITH.

On motion of Hon. Mr. LAIRD the Bill to amend the "Patent Act of 1872" and to extend the same as amended to Prince Edward Island was read the second time, and referred to Committee of the Whole.—Mr. STIRTON in the chair.

Hon. Mr. LAIRD explained that the first amendment proposed to amend the provisions of the present Act in regard to Patents for a portion of a machine. Under the existing law no patent could be issued except for a whole machine, and he proposed that one should be obtained for an important improvement in a part of a machine. The Bill also provided that a patentee, who had permitted the two years to elapse within which the statute provided he must act upon his patent, otherwise it would expire, must give three months' notice of his desire to have that time extended. The existing law provided that patented articles must have stamped upon them the year in which the patent was issued. To some articles such a stamp was a flaw, and he proposed to make it simply necessary to affix a printed label instead. The remaining clauses of the Bill related to the extension of the amended Act of Prince Edward Island.

Mr. FLESHER inquired whether the possession of a patent upon a part of a machine would enable a man to manufacture the whole machine without reference to the original patentee.

Hon. Mr. LAIRD said it did not.

Hon. Mr. POPE said when he introduced the existing Act, his hon. friend from Stanstead and Hon. Mr. CHAUVEAU proposed that the time within which a patent must be acted upon should be extended to five years, and he (Mr. POPE) was inclined to accede to the propositions; but it was very strongly objected to by the gentlemen who now occcupied the Treasury Benches, as the Prime Minister could well remember. He was therefore surprised that a proposition to extend the time should have come from them now.

Hon. Mr. LAIRD said there was no intention to give more time than was allowed by the previous Act. The object was to fix the time within which an application should be made for an extension. That time was three months preceding the expiration of the two years.

Mr. CURRIER—Why limit the time at all? Why not extend it to five years?

Hon. Mr. MACKENZIE—For the very best reason—we want to limit it.

Mr. CURRIER asked whether, in case an application were made, it followed that the applicant obtained the extension asked for.

Hon. Mr. MACKENZIE—Not necessarily.

Hon. Mr. POPE thought the time was too short. A longer time ought to be given than this Bill allowed.

Hon. Mr. LAIRD said if an applicant made application showing by affidavit that there was good reason to ask for an extension, it would be granted. If the two years were allowed to expire without an application being made, the matter was of course open to all.

At six o'clock the SPEAKER left the chair.

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AFTER RECESS,

The Bill was reported; third reading to-morrow.

THE INTERCOLONIAL RAILWAY.

The Bill respecting the Intercolonial Railway was read a second time and referred to Committee of the Whole,—Mr. CHARLTON in the chair.

Hon. Mr. MACKENZIE explained that this was simply a Bill to apply the law under which the Intercolonial Railway proper was constructed, to the other branches of the Government Railways in the Lower Provinces.

The Bill was reported, read a third time and passed.

THE CIVIL SERVICE SUPERANNUATION ACT.

The Bill to further amend the Civil Service Superannuation Act, was read a second time and referred to Committee of the Whole—Mr. THIBAUDEAU in the chair.

Mr. KIRKPATRICK asked for explanations of the first and second clauses.

Hon. Mr. CARTWRIGHT said under the present law gentlemen who were upwards of forty years of age could not be admitted into the service. It was now proposed to limit the age to thirty, because as a matter of fact the men the Government most desired in the services were those between the ages of thirty and forty. The object of the second section was this :—As the law now stands, the Government might dismiss absolutely any one who was found inefficient, but it was found that after men had served ten years or more there was a very great objection to taking such an extreme step as to turn them off. This clause would empower the Government in dismissing such persons to give them some slight allowance.

Mr. KIRKPATRICK said a certain amount was deducted every year from the salaries of Civil Servants to be paid back in the shape of an allowance to them when they were superannuated. This clause gave the Government power to say that they would not give a Civil Servant the full allowance to which he was entitled under the Act. His opinion was that if any Civil Servant did not give satisfaction his services should be dispensed with at the time, or otherwise he should be warned that he would not get the full benefit of the Act, in order that he might not pay the full amount of his contributions to the fund every year. He should not be placed at the mercy of the head of a department, and any Civil Servant who paid his contribution regularly from year to year to the fund should get the amount he was entitled to by law when superannuated.

Hon. Mr. MACKENZIE said the hon. member failed to see that this was an amendment entirely in favor of a certain class. It was quite competent for the Government to discharge a Civil Servant at any time, without giving him an allowance. This clause gave the Government power in removing an employee in the interests of the service to give him some allowance.

Mr. KIRKPATRICK—It should be confined to that class.

Hon. Mr. MACKENZIE—So it is. It is to give superannuation to those who are not entitled to it under the law. There are some now who would have to be dismissed without any allowance at all if we had not this amendment.

Mr. KIRKPATRICK said this second clause gave the Government power to grant an allowance which would be less than what an employee would, otherwise, have been entitled to.

Hon. Mr. MACKENZIE explained that 65 years was the age at which superannuation might take place. Under the existing law employees were only to be superannuated from natural causes, that was, when something for which they were not themselves to be blamed prevented them from discharging their duties. This clause provided for removal from causes other than that of ill-health. To be very

plain, he might say that the Government were obliged sometimes, and would probably be obliged now to get rid of some people whose conduct had been so dissipated that it was impossible to keep them in the department on full pay, and yet some regard for their long services and for their families made it desirable that they should receive some allowance on being removed from the service. At present the law did not allow the Government to do so, and they would be obliged to dismiss such persons without any allowance at all. It was purely from a charitable and kindly consideration for their positions that this amendment was introduced. The leader of the opposition the other night entirely understood the object of this measure and expressed his approval of it.

Hon. Mr. MITCHELL approved of the Bill and thought the Government should possess the power which it conferred.

Hon. J. H. CAMERON thought that a similar provision should be made with respect to the officers of this House. He would also suggest that some means should be taken of recognizing the long and satisfactory services of those in the employ of the House who were not strictly classed under the provision of the Civil Service Act. Such persons if promoted, as their services would otherwise have entitled them to be, would have received an increase of pay. He merely called attention to this matter now, because it seemed to him that there was, in some way, an omission in not making provision for those who did not come under the Civil Service Act, but who were employed by the Legislature.

Mr. PALMER said if he understood the Bill right it gave the Government no dower over those who were entitled to superannuation but merely enabled them, under the power which they already possessed, to dismiss officials who did not give satisfaction, and to grant them some allowance on their removal.

Mr. KIRKPATRICK said he had no objection to the object of the Bill, on the contrary rather approved of it. He merely called the attention of the Government to the fact that the wording of the clause was unfortunate since it would have the effect of going beyond what they desired. A person over 65 years of age and entitled to superannuation might under this clause be met with a statement from the head of the department that his services had not been satisfactory, and he would therefore get a smaller amount from the fund to which he had contributed, then he was entitled to under the law. This clause should certainly be amended.

Mr. McDOUGALL (W. Elgin) did not think the section would bear the construction his hon. friend was putting upon it. A close analysis would show that it intended to express the opinion intimated by the Premier and the hon Minister of Finance, and that the phraseology was clear. There must be some discretion assigned the head of the department, and that discretion was expressed in the section; and without that discretion the person about to be superannuated would not be entitled to any allowance.

Hon. Mr. CARTWRIGHT said on a suggestion from his hon. friend from Kingston he would add the words "or age," and the clause would then read "when any person is about to be superannuated from any other cause than ill health or age." These were the only two causes for which a man could be superannuated when the service was perfectly satisfactory. Of course the Government had no other object than to make the clause clear, and would have no objection to insert any words that would make it so.

Mr. FLESHER inquired if it were the intention of the department to superannuate persons who by intemperance had rendered themselves unable to perform their duties.

Hon. Mr. CARTWRIGHT said it was not.

The Bill and amendments were read the second and third times and passed.

INSURANCE BILL.

On motion of the Hon. Mr. CARTWRIGHT the House went into Committee of the Whole on the Bill to consolidate and amend the several Acts relating to Insurance in so far as regards Fire and Inland Marine business (as amended by Standing Committee on Banking and Commerce. Mr. ARCHIBALD in the chair.

The Bill was reported and read a second time.

On the motion for the third reading,—

Mr. OLIVER moved in amendment

that the Bill be not now read a third time, but that it be referred back to the Committee of the Whole with instructions so to amend it as to provide that the same amount of security be deposited with the Receiver General for the protection of the public against Canadian Companies as is required to be deposited by foreign Companies, viz., $100,000. He said it appeared the deposits were for the protection of the Canadian public against foreign companies, and not, as was once supposed, to put money into the treasury of this country, and he thought if it were necessary to ask foreign companies for $100,000 deposit, it was also necessary to ask the same amount from Canadian companies to protect the Canadian public from them. It was wiser and better to put them both on the same footing.

Hon. Mr. CAMERON (Cardwell) said he would oppose the amendment. It had been proposed to make the deposits $150,000 for foreign (including English) companies, and $100,000 for Canadian companies, and so long as that proportion was maintained he supposed there would be no objection. But the amount had been fixed at $100,000 on foreign and $50,000 for Canadian companies. In the Committee, the Government had stated they were prepared to agree to the determination of the committee as to the amount of deposit, and it had been moved and carried that the deposit should be precisely the same as it was now, which was made according to the report of the Committee on Banking and Commerce. Personally he had not the slightest objection that the amount for Canadian companies should be made $100,000, but in that event $150,000 should be required from foreign companies. The hon. gentleman who moved the amendment had given no reason why there should be a change; why the Canadian and foreign companies should not remain exactly as they were. There was an additional reason why no change should be made. In the law as it was now proposed by the Finance Minister there was by the 8th clause an entirely new provision introduced altogether independent of the general provision of the law which had been so wisely and properly introduced by the Government, of having an inspector of Insurance Companies. This provided not only for a deposit of $50,000, but that there should be assets of the company equal to the liabilities reported upon by the superintendent, so that, in point of fact the superintendent had the right, wholly irrespective of the deposit of $50,000, to cause a report to be made to the Finance Minister under which companies might be suspended provided they did not comply with the provisions of this eighth clause. He thought the House would act most wisely in abiding by the decision of the Banking and Commerce Committee. In view of the fact that the Bill required a deposit of $50,000 from each Canadian company and of $100,000 from each foreign company, and also that it gave the right of inspection which would be sufficient security if there were no deposit at all, he could see no reason why the House should be called upon to increase the amount of deposits of Canadian companies when there was no occasion whatever for it.

Hon. Mr. HOLTON said he had agreed with the hon. member for North Oxford in committee and voted with the minority for the amendment. Under the circumstances, however, he felt bound to stand by the report of the committee. He would consider it unfortunate, after the careful consideration of this Bill by that numerous committee, if any decision arrived at on the leading features of the Bill were to be disturbed now. He therefore hoped the House would stand by the report of the committee and that the hon. member for North Oxford would be satisfied with placing his views on the journals.

Hon. Mr. CARTWRIGHT said he was bound to admit that the hon. member for North Oxford had given due notice of his intentions.

Hon. Mr. MITCHELL said he did not contend that the amendment should carry; he merely rose to take exception to the doctrine enunciated by the hon. members for Cardwell and Chateauguay that whatever the committee might do ought to be endorsed by the House.

Mr. OLIVER said he had always supposed that the Government was a free trade administration. He warned the Government that if they granted this concession and acknowledged the principle of protection in this insurance Bill, it was nothing but fair they should recognize the same principle in all other measures coming before the House. If the House protected home companies to the extent of one hundred

per cent. in the matter of insurance, surely it would not be too much if the hon. member for Hamilton instead of asking for 17½ per cent. on manufactures should ask 100 per cent. added to that. This was an indication that the Government were willing to concede the principle of protection. Was there any reason why the Canadian public should not be protected against local as well as foreign companies? It was not the interests of Canadian companies that this House was so much to look to as the interests of the Canadian people as against the companies, and if it required $100,000 from a foreign company to protect the Canadian people, was it not reasonable to suppose it would require an equal amount to protect the people against the local companies. He would not divide the House, but he desired to put his views on the journals.

Mr. WILKES said it was not simply in deference to the finding of the Committee on Banking and Commerce that he supported the Bill, but because good and sufficient reasons had been shown for it. Fifty thousand dollars was not a sufficient protection. The real protection was afforded by inspection. We had no inspection of foreign companies, and it was advisable that they should deposit more than local companies.

The amendment was lost on a division, and the Bill was read a third time and passed.

THE NORTHERN RAILWAY.

Hon. Mr. MACKENZIE moved the second reading of a Bill respecting the lien of the Dominion on the Northern Railway of Canada.

Mr. MASSON asked for explanations of the Government proposal.

Hon. Mr. MACKENZIE said that the matter was fully discussed and resolutions passed last year authorizing the proposed arrangement to be made. The Bill introduced by the Government in 1873 provided for a valuation of the lien at £23,750 sterling, but the Government had arrived at a valuation of the same lien in the sum of £100,000 sterling, and the country possessed £100,000 of second and third class preference bonds. That was the only explanation he had to offer except with regard to the second section, which gave authority to the Government to appoint a director who would have exclusive control, until that payment was made, of all expenditures beyond ordinary working expenses, and any future expenditure on new works or equipment would be under his control. The House would observe that the time was limited to 1st April 1876, which might be extended three months longer, but not to a more distant period.

Mr. MASSON said that last fall a deputation waited upon the hon. Premier respecting railroads in the western portion of Ontario. In answer to a question regarding the Northern Railway, Mr. MACKENZIE was reported to have said that the reduction contemplated would not be made to the Northern Railway. From that statement he (Mr. MASSON) undertood that the Government were determined to exact from the company every dollar which they actually owed to the Government. That debt amounted to nearly £500,000 exclusive of interest which reached $1,300,000. If the road were one of national importance the Government might consider the advisability of making a reduction in their lien in order to enable the company to extend their line even to the Nipissing Railway. But he understood the company was not one of that national character. Moreover it was understood that the company was in a prosperous condition, and the Ontario Government held the opinion that it could pay interest at 5 per cent. on its indebtedness. The Treasurer of Ontario, Hon. Mr. CROOKS, stated that the total debt of the Government amounted to $2,300,000 without counting, and said: "Upon an examination of the returns of "revenue as earned by this railway, and "after a liberal allowance for expenditure "on capital, &c., it appears to the under- "signed that the company could with "facility pay interest at the rate of five "per cent. per annum on this amount of "the Provincial lien, and at the same time "exist in full efficiency, and make, from "time to time, such alterations and addi- "tions as its traffic and the public "interest might require." The company did not fulfil either of the conditions which would entitle it to the reduction of its lien. The company was not one of a national character, and it was not necessary for the prosperity of the country, though it might be for the dis-

trict through which it passed. A similar measure was brought forward by the late Government, but he (Mr. MASSON) and several supporters of the late Government strongly opposed it, as did, also, the Hon. E. B. WOOD, now Chief Justice in Manitoba.

Hon. Mr. MACKENZIE said that his remarks on the occasion referred to by the hon. member were to the effect that the Government would not relinquish one farthing of what that lien was worth to the country. He was aware that the Government proposed to do so. The question, however, was not what they were open to receive, but what they could get out of the road ; nor was it a question whether the road was of local or public importance. The hon. gentleman would be aware that between £500,000 and £600,000 sterling of bonds were placed in advance of the Government lien. They had to receive interest before the Dominion would give anything, but their lien was simply worth what it would bring after paying bondholders what they were now entitled to receive. That was the whole question at issue. The late Government came to the conclusion that the lien was only worth £23,000, whereas the present Government valued it at £100,000, and they had bonds of £200,000 or $1,000,000. If any hon. member could discover any way to get any more money out of the road than the Government was proposing to do, he would be very willing to receive it, but he had failed to see any such way yet, because they must stand between the bondholders and the results of any legislation forced on them against their will.

Mr. SCATCHERD said that by reference to another Bill which had been introduced by the hon. member for Muskoka, it appeared that the first preference bonds amounted to £250,000 ; the second preference to £283,900 ; class A., third preference, £50,000 ; class B., third preference, £100,000 ; and then came the Government lien. So the question was not whether the road was worth only the amount the Government proposed to take in, but whether that amount could be received in view of the position occupied by the Government lien. The Government were taking out of the road all they could get. The hon. member for Terrebonne had, however, supported the late Government in making a large reduction on the Great Western Railway debt, but in this case the Government were not giving the Northern Railway anything, but were obtaining the fullest amount which the lien was worth

Mr. WOOD said it would be in the recollection of hon. members that a similar Bill to this was introduced, relating to the Northern Railway, by the late Administration. It was true that the Government of that day were willing to take a smaller amount in compensation than the present Government. A very strong article on the subject appeared in the *Globe*, which shook the Government to its very centre. The present Government came before the House asking for powers almost similar ; they asked that the country should give up a claim equal to about three million dollars for about one million dollars. In 1859 the company was in embarrassed circumstances. They owed a very large amount of money, and arrangements were made to place them in a better condition. The Government lien at that time amounted to £475,000 sterling, and the interest unpaid up to August, 1859, was £116,000, which brought the total up to £591,000. The company's bonds of various classes amounted to £243,738, which, together with £43,434 unpaid interest up to August, 1859, made a total of £287,172. The amount required to cover the floating debt and place the road in an efficient condition was £250,000, while the stock subscriptions of that day still in force amounted to £169,000 ; making the total liabilities of the oompany £1,297,000. In 1859, an Act was passed, at the instance of the company, vesting its assets in the Crown, as a matter of protection against its creditors. The company afterwards was prosperous. A reference to the annual reports would show that notwithstanding what hon. gentlemen had said about the company being embarrassed, its annual income had increased until in 1872 it amounted to $900,000. The liabilities of the company in that year were $1,298,000 ; the gross receipts for the year amounted to $894,774. The ordinary expenditure was $528,509, or nearly sixty per cent. of the receipts, showing a balance of $366,265, which in all fairness belonged to the Government, the municipalities and the stockholders, without

whose assistance the road could not have got through its troubles in 1859. The company did not, however, so divide the money. It appropriated $185,723 for special works, leaving $180,541 for the purpose of paying interest on the first and second preference bondholders. The management of the road since 1864 had simply aimed at saving money and paying the interest on the first and second class preference bonds. He would be quite satisfied if the Government would appoint a Royal Commission to inquire into the company's affairs, which he was sure would convince them that the debt was a good one, and would be repaid to the utmost farthing. They would not then come down to this House and ask an amount equal to two millions of dollars to be placed in the hands of the bond holders. The resolutions of last year were submitted at a late stage of the session, and were not thoroughly discussed. He therefore thought it was not quite fair that the House should be called upon to-night, on the faith of that resolution, to pass a Bill doing away with the existing lien of the country upon that company. The company was perfectly able to pay, and this was simply a means of putting a large amount of money in their coffers. Corporations of that kind were well able to take care of themselves. It was said that the company desired this Bill passed, in order that they should be enabled to change their gauge, add new rolling-stock and make extensions. There was no necessity why it should pass on that account, for the line was an independent one, and no change of gauge was required. Hon. members were told that the Great Western Railway had received a large reduction of their debt from this Government, but the circumstances were entirely different. The Government loaned the Great Western Railway an amount of money at six per cent. which they had themselves borrowed at 4½, and the Great Western Railway was simply repaid the 1½ per cent. difference between what the Government had themselves borrowed the money, and the rate at which they had loaned it. There was, therefore, no parallel between the two cases. The Northern Railway Company came to Parliament and asked to be forgiven for a debt of $3,000,000 for which the Government would simply receive £100,000 in cash and £50,000 of third-class preference bonds which might be worth 50 or 75 cents in the dollar. This really meant a payment by the company of 30 cents in the dollar. He protested against the Government giving the Northern Railway any more than they were entitled to, and they were not entitled to receive $3,000,000 out of the taxes of the people.

Hon. Mr. MACKENZIE said he had explained already that the Government were not giving away one dollar but were receiving for its lien the fullest amount possible. There was an amount of $169,000 preference stocks, and these shareholders had never received one cent of dividend in any shape, and they would not receive any now as far as he could see. They had endeavoured to raise a loan in London last year sufficient to re-organize the company and pay off the bondholders but it was found practically impossible to do so, although every effort was made to effect some accommodation. The city of Toronto had given up its lien, and would be content in future to consider it simply as a bonus, it having voted £50,000 sterling towards the road. The longer the road was allowed to go on in its present condition the less were the prospects of the Government ever obtaining anything from it, and they were losing interest on the money the whole time. He desired to be understood as not in any way advocating the interests of the company, but as advocating measures that were in the interests of the public.

Mr. WOOD—Have you ordered an investigation into the affairs of the Company?

Hon. Mr. MACKENZIE—I have not.

Mr. MASSON — I should like to see the report of the valuation, and how it is arrived at. I have been unable to see a complete report.

Hon. Mr. MACKENZIE — I have no report.

Mr. MASSON—How is the valuation then arrived at?

Hon. Mr. MACKENZIE—I valued it.

Hon. Mr. CAMERON said it would be known to hon. members that the original stockholders of the Northern Railway had never received any dividends. When the county of Simcoe and the city of Toronto had agreed to allow their subscriptions to be considered as bonuses to the Company, Toronto asking to have a repre-

sentative in the Board of Directors, it was not asking too much to apply to the Government to give them relief. He was a bondholder of the second class for many years. For many years they were paid interest at the rate of 2½, 3, 3½, and at one time 6 per cent, but afterwards they occupied a worse position. It was generally felt that the Northern Railway was like a Grand Trunk—a leading line, and opened up the northern position of the country. It was true that the Great Western had occupied an excellent position to that of other companies; at one time, however, the dividends ran up to 9 per cent, although at the present time the bonds were in an inferior position. The Northern Company was deserving of consideration at the hands of the hon. members, and he hoped no difficulties would be placed in the way of the Government measure, which would be not only a boon, but a necessity.

Mr. LITTLE would support the action of the Government as it would be the means of placing the railway in a better position, for it was a national work, despite what hon. gentlemen had said, and of great importance to Ontario and to through trade, inasmuch as it was one of the leading thoroughfares to the North-West, and as great a national work as the Welland or Baie Verte Canals. The line was not in good working order; a change of guage was required, and a double track should be laid down. The County of Simcoe had done all it could in this matter, and he desired to thank the hon. Minister of Public Works for having brought the matter before the House. Particularly as the county of Simcoe in Council had memorialized the Government to take action in the matter.

Mr. COOK (North Simcoe) did not rise to oppose the measure, but the Northern Railway Company was now endeavouring to sweep away from before them every claim, municipal or any other. The hon. member for Muskoka had introduced a Bill to consolidate the Northern Railway and its extensions and branches, and also a line of boats. He was in favor of the Government measure, from the fact that the time was past when this company might have added to the revenues of the country which it could have done, if it had not been for the mismanagement of the company in years past when lumbering was active, and when the forests through which it passed had not been denuded, and therefore it become the Government to relinquish its claim on the road to a certain extent. The Meaford extension would never pay, and would be a burden upon the company for all time to come. The Northern extension would help to establish a connection with the Canadian Pacific, and was therefore a judicious project, as it would thereby secure a share of the trade of the North-West. The freight tariff upon this road was very much in excess of the freight upon other roads. He knew lumber could be shipped from Midland City or Penetanguishene—and though Collingwood was only 50 miles distant—and sent round to Goderich, some 300 miles, and by the Grand Trunk to Toronto for fifty cents a thousand cheaper than direct by the Northern Railway to Toronto. And yet the company was knocking at the door for Government assistance and relief from its municipal obligations. By this Government aid the railway would be better able to secure the trade of the North-West, but they would require to improve the Harbor of Collingwood. The town wanted a bonus for dredging the harbor, as it was only deep enough for vessels of light draft; and he thought there should be a stipulation by which the railway company would be bound to deepen Collingwood harbor within a certain time. If this was not done they would find the Northern Railway before many years asking the Legislature for some additional relief. There was one thing that had been overlooked by hon. members in discussing this matter. The Northern Railway Company had in the city of Toronto a very valuable property, —worth two millions of dollars—and he thought that should be taken into consideration. The County Council of Simcoe was then in session at the special call of the Warden to consider this question; and it would not be in good grace for hon. members to remove the county of Simcoe lien without knowing the opinion of the County Council. He would at the proper stage move an amendment by which it would be stipulated that Collingwood Harbor would be improved so that the road would secure the traffic of the North-West, that vessels of heavier draft would bring down.

Mr. THOMSON (Welland) would only speak about the remuneration or rather the amount the Government proposed to allow for the aid to the Northern Railway. His impression was that the Government was making a very good bargain. When he saw the Northern Railway unable to pay any dividend on stock for the last ten or fifteen years, and when it was unable to meet its debt to the Government from the moment they borrowed, he came to the conclusion that the Government had a claim against the Company which they could not collect. How was the Government going to collect a debt from a railway? Would they take charge of the railway? He thought it was one of the greatest absurdities for any Government to write up interest on the debt as a part of the debt. They should under the circumstances, and as the people who had benefited by the road were the aggregate creditors, consider the original amount of the debt as sufficient. The Northern would never be in a better position to pay than it was now, as he considered the Muskoka extension and other extensions would weaken the road as far as paying the Government was concerned. He spoke without the slightest interest in the Northern Railway, and had offered the same application some years ago because he thought there was a scheme in it, but as Toronto had given up $200,000 and the county of Simcoe $200,000, he would support the proposition. As to the property in Toronto it was like this Parliament Building, they could not sell it because, they needed it for the business of the road.

Hon. Mr. BLAKE said he agreed with his hon. friend from Welland regarding this matter, and from a careful investigation of the affairs of the company, it would be ruined if it were compelled to meet its obligations. Had a different policy been pursued by a former Government a different result might have accrued to the country. The sum his hon. friend proposed to ask was as much as he could procure from the road, and he believed any larger demand would result in rendering impossible a basis for the re-organization of the company, involving the payment of the amount required by the Government. He believed the extension projects were likely to render the road less able to pay this debt than it was now. The proposition of the late Government was to give up the lien for £120,000 stg.; the present Government had £200,000 stg.; which was a much better bargain, and which was he believed as much as could be got.

Mr. COCKBURN did not rise to take any part in the debate, but simply to take exception to the remarks of the hon. member for Simcoe with reference to his reflections upon the officers of the company. He was not afraid to say that there was no better managed road in the whole country than the Northern Railway, and it was only an act of justice to the managers of the road to make that statement.

Mr. McCALLUM said this was considered in 1873 a good asset of the Province, and capable of paying interest at the rate of five per cent., and in support of this statement he quoted the following extract from a memorandum to the Lieutenant Governer of Ontario in Council on the 3rd May, 1873:—

"'Upon an examination of the returns of revenue as earned by this railway, and after a liberal allowance for expenditure on capital account, etc., it appears to the undersigned that the company could with facility pay interest at the rate of five per cent. per annum on this amount of the Provincial lien, and at the same time exist in full efficiency, and make from time to time such alterations and additions as its traffic and the public interests might require. The undersigned therefore consider this sum to be a good asset of the Province of Canada for the amount of $2,311,666.67, and that the sum of £50,000 stg. of bonds, with interest from July 1st, 1867, is equally so, and that it would be a most disadvantageous arrangement, and unjust to this Province. if the proposition contained in the said resolutions were adopted.

(Signed),

AD. CROOKS.

It seemed strange to him that the Company should not still be running the road at a profit. If it were the Government were giving away as much money as possible. As one of the representatives of the people, he must enter his protest against this thing. Were we to pay six millions, including land, for the building of a road to Georgian Bay, and then to be asked to give away three millions to keep this road going? He thought the hon. member for South Bruce had changed his mind within the last three years.

Hon. Mr. BLAKE was surprised at the hon. gentleman being so ignorant of public affairs as not to know that he (Mr. BLAKE) was not a member of the Ontario Government in the fall of 1872, and that he was

not a member of any other government until the autumn of 1873.

Mr. MASSON—But the hon. gentleman was a supporter of the Ontario Government.

Mr. McCALLUM defied the hon. gentleman for South Bruce to contradict his statement. It made little difference how much he (Mr. McCALLUM) knew, but he endeavored to be consistent and to act in the interest of the people of this country.

Mr. WILKES thought that public opinion had decided that the proposition was a very liberal one towards the country, while at the same time not oppressive towards the railway. He did not wish to be understood as advocating the claims of the Company against the claims of the public. The hon. member for Terrebonne had stated that the Northern Railway was not a public work in the sense of the Grand Trunk Railway, inasmuch as it was not a work of national importance. He gave the hon. gentleman credit for considerably more geographical knowledge. There had been a proposition to make a canal at an expense of £10,000,000 sterling on the very line traversed by the Northern Railway, which was the identical line between the Georgian Bay and Toronto, travelled by the old French traders. If that was not a public highway, he would like to know what public highway we had. We are expending an enormous amount of money in improving our water ways in another direction *via* the Welland Canal, and after going 400 miles by that route we reach a point to which the Northern Railway can take us by a journey of three or four hours. If the Northern Railway was considered a national work before, how much more was it to be considered a national work now, when we are spending millions of money in opening up the great North-West? The hon. gentleman (Mr. MASSON) had forgotten the debate only a few days ago, when a large subsidy was voted to the Canada Central Railway for the purpose of establishing direct communication between the Georgian Bay and the city of Montreal, or, as the leading argument of the hon. member of Chateauguay stated it, for the purpose of establishing direct communication between tide water and Lake Huron. That was a great consideration for Lower Canada to receive for the expenditure westward, and now the hon. gentleman was contending that the Northern Railway which run through a section between two great lakes was not of national importance. At all events it was the opinion of the people of Ontario that the small amount relatively now being granted to that road in abatement of its claim was comparatively small besides the expenditure that was to be made to secure communication for the city of Montreal. He did not object to that expenditure for he believed it would be a great benefit to the country at large. It was important that we should develope our railway system as well as the whole system of the Welland Canal, and one important part of that railway system was the road between two great lakes. He admitted that was a misfortune, but he did not see that this country could help it just now, particularly as he had no doubt that the remedy would be applied by building another line sooner or later, but that did not alter the financial aspect of the question, which was the argument the hon. gentleman had presented. The mode of calculation referred to had been effectually answered by the hon member for Welland, calculating the interest on a bad debt would be a ready mode of making a fortune. The Northern Railway of Canada had not paid to the Government of this country the interest on the debt at all, consequently for more than fifteen years it had been an unproductive debt. The company having no capital must allow the road to get into a state of dilapidation. It was obliged to allow lumber to lie at the stations for months for want of rolling-stock to carry it. A very large sum was required for rolling-stock alone. The timber had been cut along the line and an extension north to Muskoka became necessary. It was now within a few miles of that lake which would bring it within reach of a large area of timber land. It was utterly impossible to complete this extension, to put rolling-stock on the road, or to lap the Pacific Road from Georgian Bay to the Ottawa River, unless the indebtedness of the road was re-arranged. He estimated that the liabilities of the Northern Railway Company, with the $1,000,000 now proposed to be paid to the Government would be seventy or seventy-two thousand dollars per mile of the road. The Government proposition was a very fair one and it was in the interest of the whole Dominion as well as of the section

of country through which the road ran to have this lien re-arranged.

Mr. IRVING was ready to support the Government in their policy and would hold them responsible for the propriety of the arrangement they had made. There was no doubt in his mind as to the course which should have been pursued. The hon. member for Centre Toronto had travelled far out of his way to criticise the remarks of the hon. member for Hamilton (Mr. WOOD). Because the Northern Railroad was a Toronto road, therefore the hon. member for Toronto Centre would permit any one who did not come from that city to express an opinion upon it. The Northern Railway Company transacted business with the Bank of Commerce, of which the hon. gentleman from Toronto Centre was president, and it would be equally fair to charge him with being actuated by personal motives as to make a similar charge against the hon. member for Hamilton.

Mr. WILKES declined to reply to the personal reference to him further than to say that his relations with the Bank of Commerce and the Northern Railway had no influence whatever on him in a discussion of this kind.

Hon. Mr. MITCHELL recollected that when the Confederation was formed this debt was put in as an asset against the substantial assets of New Brunswick, as worth one hundred cents in the dollar. Like the hon. member for Hamilton he would hold the Government responsible for this arrangement, but would expect some compensation to the Lower Provinces for the assets they were giving up.

Hon. Mr. MACKENZIE said the Government did not pretend to be doing this for Toronto, Simcoe, Collingwood or any other place or interests. They were simply getting rid of a troublesome debt on the best terms they could make. The hon. member for Simcoe proposed to compel the company to pay $30,000 to deepen Collingwood harbor. That was the Government should spend $30,000 where they had recently expended $35,000, for if they could get that amount to expend on Collingwood harbor, they could get it for themselves.

Mr. WOOD disclaimed any sectional feeling in this matter. He spoke what he believed to be the opinion of the people west of Toronto, when he expressed disapproval of the measure.

The motion for a second reading was carried on a division.

CHANGE OF REFERENCE.

Mr. BLAIN moved that the order referring Bill No. 69 to the Committee on Banking and Commerce be discharged, and that the said Bill be referred to the Committee on Railways, Canals, and Telegraphs.—Carried.

On motion of Hon. Mr. MACKENZIE, the House adjourned at 10.45.

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HOUSE OF COMMONS,

Friday, March 19th, 1875.

The SPEAKER took the chair at three o'clock.

ESQUIMAULT AND NANAIMO RAILWAY.

Hon. Mr. MACKENZIE asked leave to introduce a Bill entitled "An Act to provide for the construction of a line of railway from Esquimault to Nanaimo, in British Columbia." In doing so he said :—Mr. SPEAKER :—the necessity of this Bill arises from the fact that the Government have agreed with the Government of British Columbia, as stated in the papers laid before the House, to build this road at the earliest possible date. The Government have taken an estimate of a certain amount of money to be expended this year, but they have no Parliamentary authority for taking the necessary steps for the construction of a line of railway as to land and otherwise. The Government are not prepared to consider this a part of the Canadian Pacific Railway, and they therefore require special authority. Parliament may at a future time, if it pleases, declare this to be a part of the Pacific Railway, provided that it is in the line that may suit for the ultimate terminus of the road on the Pacific. If the terminus be at Bute Inlet, for instance, and Parliament should resolve at a future day to go beyond the head waters of that Inlet and connect with the Esquimault and Nanaimo road, it may become a part of the Pacific Railway, but it is decided to build that part on the island as an ordinary Government railway, leaving the

future to be controlled by Parliament. The first section simply provides that there shall be a railway constructed between these two points. The second section determines the gauge, and that the Governor in Council may provide such plans and specifications as may be required for its construction. The third section authorizes the Governor in Council to enter into contracts with a company or individuals for the construction of the road, and the sub-sections of the clause are practically the same as, or nearly a repetition of the clauses in the Canadian Pacific Railway Bill of last session, regarding the security to be given, and the mode of payment to contractors, namely, $10,000 for each mile with the land somewhere on the line of the railway, and any further amount that may be required. Sections, 4, 5, 6, 7 and 8 refer to the letting of contracts. The Government do not propose to submit these contracts for the approval of Parliament for the reason that they expect to be able some time during this season to let out contracts for this work, and they took Parliamentary authority for letting them in the ordinary way that other contracts were let out by the Public Works Department. As the Government do not in this Bill recognize this line as part of the Pacific Railway, it becomes necessary that they should have a special section for the land grant from the Province. Section 9 accordingly provides that the railway shall not be commenced, and that no contract shall be entered into for the construction thereof until the Government of British Columbia shall grant and convey to the Canadian Government in trust a similar extent of public lands along the line of the said railway throughout its entire length, not to exceed twenty miles on the side of the line as may be appropriated for the same purpose by the Dominion Government for the North-West Territories and Manitoba, provided the amount of land that may be held by pre-emption shall be made good to the Dominion Government from contiguous lands. Section 11 and sub-sections simply apply the provisions of the general Railway Act to this Act, so far as may be necessary for the purpose of carrying out the law. The Bill, although a little lengthy, is very simple, and is merely a repetition of the clauses of the Canadian Pacific Act, with a clause providing that the Government may proceed in the way indicated.

The Bill was read a first time.

Hon. Mr. LAIRD asked leave to introduce a Bill, entitled—"An Act respecting conflicting claims to lands of occupants in Manitoba." The intention of this Bill, he said, was to simplify the mode of procedure respecting such claims. The Government considered the machinery under the late Act to be cumbrous and expensive.

The Bill was read the first time.

Hon. Mr. LAIRD asked leave to introduce a Bill to amend the Act, to amend and continue the Act 32 and 33 Vic., Cap. 3, to establish and provide for the Government of the Province of Manitoba. The intention of this Bill, he said, was to define more particularly what was meant by "Children of half-breeds." It was also to enable the Government to dispose of a portion of the 1,400,000 acres granted to the half-breeds. It was found when the division took place that some of these lands remained over, and it was difficult to distribute them equally. The proposition was to give scrip instead.

The Bill was read a first time.

DOMINION LAND ACT.

Hon. Mr. LAIRD moved for leave to introduce a Bill to extend to the Province of British Columbia the Dominion Land Act.—Carried.

The Bill was introduced and read a first time.

PAYMENTS TO JUDGES.

Hon. Mr. CARTWRIGHT presented a return to an Address for details of payments made to Judges of the Province of Quebec, on account of travelling expenses.

PRIVILEGE.

Hon. Mr. BLAKE, before the Orders of the Day were called, gave notice that he would to-morrow call the attention of the House to the petition introduced by the hon. member for Victoria; and moved, seconded by Hon. Mr. HOLTON, that the petition be printed in the Orders of the Day.—Carried.

SALARIES OF COUNTY COURT JUDGES IN NOVA SCOTIA.

Hon. Mr. FOURNIER moved that the Bill to provide for the salaries of County

Court Judges in the Province of Nova Scotia, and for other purposes, be not now read a third time, but be referred back to Committee of the Whole House.—Carried.

The House went into Committee of the Whole—Mr. BECHARD in the chair.

Hon. Mr. FOURNIER said the amendment proposed was simply to limit the application of the second clause which provided for the increase of the salaries ot Judges receiving $2,000, and to place them on the same footing as the County Court Judges of Ontario.

Mr. McISAAC wanted to know upon what principle the hon. Minister of Justice made a distinction between inferior courts and superior court Judges. The former were required to be fifteen years on the bench before they could receive a retiring pension; while the latter after five years' service was provided for if he should be rendered unfit by ill health for the performance of his duties.

Hon. Mr. BLAKE said his hon. friend had not been in Parliament when the first provision had been made for retiring allowances to County Court Judges. His hon. friend, the member for Kingston, had proposed to give them a pension after fifteen years, and it had met with no opposition from his (Mr. BLAKE's) side of the House. As to the distinction between County Court and Supreme Court Judges it had been stated by the hon. member for Kingston that the important character of an appointment to the Supreme Court was sufficient security to the public against such a thing as a person too advanced in years to perform his duties satisfactorily being appointed, but with reference to appointments of County Court Judges, there was not such a security against improper, extravagant and not economical appointments, and men might be put upon the bench with the view of getting for a short time a retiring pension. He did not think he misrepresented the statement of his hon. friend from Kingston and had taken the same view of the matter. Since then the hon. Mr. DORION had introduced a slight amelioration of the Act which provided that after twenty-five years' service it would be within the competence of the Government to give a County Court Judge a retiring allowance. The measure now before the House was simply to apply the same principle to the courts of the Maritime Provinces.

Sir JOHN A. MACDONALD said his hon. friend from South Bruce was perfectly correct in reference to the distinction he had drawn respecting the retiring allowances to Supreme Court and County Court Judges. Before that law had been passed, County Court Judges had no retiring allowances at all; and they had welcomed it as a great boon, for there were several at the time the measure was brought in who were incapable through advanced age or infirmities of performing their duties properly, a service of fifteen years had been required, not only because their appointments were less noticed by public opinion, but because the most of them were comparatively young men when appointed; while the appointments of Superior Court Judges were so important that public opinion would always be a protection against any one being appointed who was too old or too infirm to perform the duties satisfactorily.

Mr. MACDONNELL (Iverness) considered the Bill unsatisfactory in its provisions, and that it was no argument to a criticism of the Bill to say that the law in Ontario did not provide for retiring allowances for County Court Judges. Those Judges should equally with the professional men selected for the Superior Court, be appointed because of their high attainments and qualifications. In Nova Scotia there were seven Superior Court and seven County Court Judges. Suppose vacancies should occur in each class, and they were filled by men of the same legal ability, and each fifty years of age. The Superior Court Judge would receive $4,000, while the salary of the County Court Judge would be $2,000; each had important duties to discharge, which occupied their whole time and attention. Upon what principle could Parliament enact a law providing that the former should be entitled to a pension should he become incapable, on the day following his appointment, ot discharging the duties of his office, while the latter Judge, possessing equal abilitles for the performance of his duties, would receive nothing.

Sir JOHN MACDONALD—Then they should receive the same salary.

Mr. MACDONNELL said two wrongs did not make a right. He failed to under-

stand why the Judge of the Inferior Court was obliged to serve fifteen years before he was entitled to a retiring allowance ; if he served fourteen years and 364 days, and, becoming infirm, retired he would not obtain it. On the other hand, his judicial brother, who was appointed on the same day, if he became incapable of performing his duties, would receive a retiring allowance of £600 a year.

The Bill was reported as amended, and afterwards read a second time.

LETTERS PATENT.

Hon. Mr. MACKENZIE moved the first reading of a Bill respecting patent rights (from the Senate.)—Carried.

THE PILOTAGE ACT, 1873.

On motion of Hon. Mr. SMITH, the House went into Committee, (Mr. BURPEE, Sunbury, in the chair) to consider the following resolutions for the purpose of amending the Pilotage Act, 1873 :—

" That it is expedient to amend ' The Pilotage Act, 1873,' by providing

1. That sub-section 5 of section 57 be repealed, with the proviso referring to it at the end of the section, and by enacting, that ships registered in Canada of such description and size not exceeding two hundred and fifty tons register, as the Pilotage authorities of the District, with the approval of the Governor in Council, shall from time to time determine, shall be exempt from the compulsory payment of pilotage in such District.

2. That for any of the offences mentioned in section 71, the pilot shall be liable to suspension or dismissal by the Pilotage authorities of the District, and on any evidence which they may deem sufficient whether he has or has not been found guilty of misdemeanor.

3. That section 11 and 16 authorizing the appointment by the Governor of Secretary and Treasurer for the Halifax and St. John Pilot Commissioners be repealed, and providing instead thereof that all Pilotage authorities may, with the sanction of the Governor in Council, appoint a Secretary and Treasurer, and pay such salary or remuneration out of pilotage dues received by them as they may see fit, and may with such sanction and out of such funds pay any other necessary expenses of conducting the Pilotage business of the District."

Hon. Mr. SMITH moved that the third section be amended by adding the words " or fees from licenses or both," after the words " pilotage dues."—Carried.

Mr. JONES (Halifax) understood that pilots were not required to take out licenses every year. If such were the fact, the Pilotage Commissioners after the first year would not have a revenue out of which to pay their Secretary.

Hon. Mr. SMITH said the pilotage authorities would have power to determine whether licenses should be issued annually. At many ports they were now issued each year.

Mr. McKAY (Cape Breton) said in his county examinations were held and certificates issued annually.

The resolutions were reported and a Bill based on them entitled " An Act further to amend the Pilotage Act of 1873," was introduced and read a first time.

Bill to still further amend the Patent Act of 1872 and to extend the same, as amended, to Prince Edward Island, was read a third time and passed.

THE NORTHERN RAILWAY.

Hon. Mr. MACKENZIE moved the third reading of Bill respecting the lien of the Dominion on the Northern Railway of Canada.

Mr. McCALLUM said it was, in his opinion, a very serious thing to relieve the Northern Railway Company from the payment of this large amount of money, and he considered that the Government had not made out their case in behalf of this road. He held in his hand a statement of the condition of the road in 1873, signed by the Treasurer of Ontario, but hon. gentlemen opposite had endeavored to throw discredit upon it. Nevertheless, Mr. CROOKS lived in Toronto and had every means of knowing the ability of the Company to pay their indebtedness. The statement was that the Company could pay five per cent. of its indebtedness to the Government on the whole of its preferential bonds. When that statement was made, the Premier and the hon. member for South Bruce were in Opposition. The Government of Ontario was not in sympathy with the Government of that day at

Ottawa, and the Northern Railway Company was not in sympathy with the Government of Ontario. He could not understand, therefore, why hon. gentlemen opposite attempted to throw discredit on this statement. It was cruel to discredit the statement of the Treasurer of Ontario when he was wandering over the Province unable to find a resting place for the sole of his foot. The hon. member for South Brnce had not long ago held up Mr. CROOKS as a model statesman aud financier, but now opposed him like a Parliamentary pugilist and political bully.

Hon. Mr. MACKENZIE called the member from Monck to order. The language used by that hon. gentleman was simply disgraceful.

Mr. SPEAKER ruled that the language was unparliamentary.

Mr. McCALLUM moved "that this Bill be not now read a second time, but that it be read a second time this day six months."

The motion was lost on a division.

Mr. COOK said it would be absolutely necessary in order to make this road pay to dredge the harbor of Collingwood so that vessels with a heavy draught could get access to it. This would be necessary in view of the increased trade of the North-West, and on Lakes Huron and Superior and of the northern country. He was of opinion that this was the best time, and the best opportunity for accomplishing the dredging of the harbor. The company were receiving a great favor in connection with the disposal of that lien. He moved "that this Bill do not now pass, but that it be referred to a Committee of the Whole to provide that if the company get such relief, the said company shall not later than December 1876 dredge the harbor of Collingwood so as to admit vessels drawing at least 14 feet of water."

Mr. WOOD thought that the motion was fair and reasonable under the circumstances. If the Government were giving relief to this company to the large amount of over $3,000,000 the least they could do in return for that, was to make this harbor deep enough to accommodate vessels drawing fourteen feet of water. He thought in the interest of Ontario when the Government were constructing a road to divert the traffic of the North-West by way of French River to Quebec they should enable Ontario to compete for that trade. The Minister of Public Works no doubt honestly believed he could get no more from this railway than the amount proposed, but the hon. gentleman, had, last night, frankly admitted that no investigation had been made by the Government into the affairs of the company. The hon. gentleman had simply taken the figures of their predecessors, something which they were not always disposed to do with reference to railway matters; and he was glad they were not. This motion should be carried and the Premier should not oppose it.

Hon. Mr. MACKENZIE said there was no reason why the Government should give $30,000 for another object. If they were not going to get it for the Dominion they should not give it for Collingwood. This would simply be a diversion of the public money to purposes for which the House had not voted it.

The amendment was lost on a division.

The Bill was read the third time on a division and passed.

THE CONTROVERTED ELECTIONS ACT.

Hon. Mr. FOURNIER moved that the Bill to amend the Act respecting controverted elections be referred to a Committee of the Whole.—Carried.

Hon. Mr. CAMERON (Cardwell) moved the following amendment:—

5. "Whereas doubts have arisen as to the proper "construction of Sections 73, 101 and 103 of "the Dominion Election Act, 1874, and as to "the effect upon Elections held under the said "Act of the avoiding of previous Elections, it "is hereby enacted, that elections held under "the said Act, as well as Elections already held as "Elections hereafter to be held, shall be deemed "and taken, as respects both candidates and "voters, to be new Elections in law and in fact "to all intents and purposes whatsoever. "Except as the personal acts of the candidates "and the acts of agents of candidates done "with the knowledge and consent of such can-"didates."

6. "The next preceding section shall also apply to Controverted Elections tried under the Controverted Elections Act, 1873, as to the effect upon the status of the candidate of the acts of agents done without the knowledge or consent of candidates, but no further or otherwise."

7. "The sixty-seventh section of the said secondly recited Act is hereby amended by striking out therefrom, wherever they occur, the words 'and who is not a member of the House of Commons.'"

8. "In every case of an Election Petition presented under the Controverted Elections Act, 1873, in which twelve months shall have lapsed since the said Petition was presented and it shall then be untried, the Respondent may

require, and the Petitioner within six days after demand, shall give new security in accordance with the terms of the Dominion Controverted Elections Act, 1874, for the payment of all costs, charges and expenses that may become payable by the Petitioner in respect of such Petitioner."

Hon. Mr. TUPPER said it was inconvenient that amendments of such great importance should be made in committee. He would like to understand their propriety. This was a subject in which we were all deeply interested, and while there was every desire to take all necessary steps to carry out the objects of the Controverted Elections Act, it was just possible we could carry it to an extreme, and throw so many embarrasments and difficulties in the way of obtaining a repetition of the subject in the House, as to have the effect of making a great many men, that the country would desire to see in the House, and whom it would be an advantage to the country to have in the House, shrink from the efforts that would be necessary to secure a seat. It was quite possible to over-do the Controverted Elections Act, and produce a re-action nobody would like to see. If he understood this clause, it would subject a man, who had been once put upon his trial and acquitted, to having the whole matter gone over again, provided he run for election at a future period, and it was adopting a principle in relation to elections that did not exist in relation to anything else. He thought it was proper for any hon. member to give expression to a feeling widely prevalent in this House, that the Controverted Elections Act was quite stringent enough.

Hon. J. H. CAMERON said if his hon. friend had been here the last two or three days, he would not have made those observations, because he would have known that the subject had been very carefully discussed yesterday, held over for further consideration to-day, and instead of hedging the Controverted Election Act so that a candidate should have more difficulties than at present it was actually intended to relieve him of the doubts and difficulties in which he was now placed; while it was making clear, what everybody desired should be made clear in the minds of all, that if a man or his agent had been guilty of personal bribery, he would not escape from it; but that if an election had been set aside for the acts of an agent, of which the member had not a particle of knowledge, he should not be liable to have the case tried over again, should he become a candidate for a second election. The law never intended that that should be the case, and the courts had declared that the law did not give any such intention; therefore, this clause was merely reiterating what the courts had declared was the intention of the law.

Mr. McDOUGALL (Renfrew) said it appeared to him to be altogether a matter of costs, and it was a great hardship if a person who had been tried once and acquitted should be tried a second time and made pay the costs, but a person might on the second investigation succeed in proving a personal charge. He did not want to be understood as raising any objection whatever, provided that at the second trial it could be proved that the person formerly tried was guilty.

Hon. Mr. BLAKE said he agreed with the observations of his hon. friend from North Renfrew respecting the question of costs, and it was possible that Parliament would have to interpose and lay down certain rules as to the manner in which costs should be disposed of. From several cases of which he was aware in which personal charges had been made against candidates and pressed as far as they could be pressed, and the Judge had decided there was no foundation for them, and had acquitted the candidate of them, it was but justice under those circumstances that the candidate should be relieved from so much of the costs as depended upon the personal charges. On the contrary, the judgment had been in several cases that there would be no division of costs, and a candidate had had to pay costs, and had been unseated for acts committed by his agents, of which he had no knowledge, and was not responsible for, and when an attempt had been been made to inflict a personal stigma upon his name. He thought Parliament had never intended that the law should have such effect; and considered it would be a grievous injustice that when a candidate had been tried and acquitted he should be liable to be tried again and made to pay the costs exclusively.

Hon. Mr. CAMERON (Cardwell) said there were several cases in which the Judges had awarded the expenses; and he agreed that a person who had made unfair and unjust charges of personal liability

should pay that portion of the expense. He understood there was now under the consideration of the courts, as far as Ontario was concerned, a tariff with reference to that matter, and that rules concerning it would be distinctly laid down, so that in fact every one would know beforehand in a great measure precisely the class of liabilities, though not the amount of liability, to which he would be subject. He thought the cases in which this matter was involved might go before the whole Election Court.

Mr. McDOUGALL (South Renfrew) inquired what objection there could be to have the clause put in so as to prevent the injustice mentioned being done.

Mr. BOWELL said he thought that if a few more amendments were proposed to this Bill it would become rather formidable in its character, and the Minister of Justice would scarcely know his own bantling. When first introduced it contained but one small clause, which did not now convey the meaning first intended, for all that was material in that clause had been eliminated. It seemed to him that the amendment of the hon. member for Jacques Cartier went much farther than appeared on the surface. If the hon. member for Cumberland had been here he would have learned that instead of throwing difficulties in the way of members running for constituencies and retaining their seats if they were elected, this Bill would seem to have the effect of keeping them here, no matter how they obtained the seat. If as a layman he might express an opinion, he would say he was in accord with the hon. members for South Bruce and Cardwell in thinking that a candidate or member should not be held responsible directly for the acts of his agents, but he did not think the clause should go so far as to relieve the voter who had been proved to have been guilty of corruption, and that those who had been bribed to record their votes should be allowed at an election two or three weeks or months afterwards to go forward and record their votes, as would be the case if this amendment carried.

Hon. Mr. BLAKE—They are disqualified from voting for eight years if they are found guilty of corrupt practices.

Mr. BOWELL said if the hon. member referred to the 73rd clause he would find that it referred exclusively to the scrutiny of votes, and if a man who had been purchased or bribed recorded his vote for a candidate, and it could be shown afterwards at a second contestation that such bribery had taken place, his vote could be struck off. He would like to know how the amendments would affect such a case. In his mind it would have the effect that the election being declared a new election then those purchased voters would have a right to go and record their votes again, provided they had not been disqualified and reported. They knew how certain provisions had been avoided. They knew how members who had been elected, had had the election contested, and had gone into court, and in order to prevent an exposure of the corruption and bribery that had taken place had allowed himself to be unseated; in fact had brought up some trifling case of a dollar or two that had been expended and had thereby got unseated, thus preventing an investigation into the actual facts of bribery and corruption that had taken place, and after preventing in this way an investigation of the charges of corruption those persons had become candidates for the next election, and could go and do the same thing again. This course would be facilitated by declaring the succeeding election a new election, by which means the hon. member who had introduced the amendment would no doubt accomplish the object he had in view. The 103rd section of the Act read:—"If, on the trial of any election petition, any candidate is proved to have personally engaged at the election to which such petition relates, as a canvasser or agent in relation to the election, any person, knowing that such person has, within eight years previous to such engagement, been found guilty of any corrupt practice, by any competent legal tribunal, or by the report of any Judge or other tribunal for the trial of election petitions, the election of such candidate shall be void." Why should Parliament repeal a clause so as to allow a candidate to employ a person whom he knows to have been guilty of purchasing votes and using all those acts that have been practised to secure elections, to repeat what he had done at previous elections. What the meaning of the clause was, as interpreted by that amendment, he confessed he did not understand. Another objection was that

raised on a previous occasion during the present session by the hon. member for Chateauguay, who objected to the passing of a railway Bill because it would interfere with an action now pending in the courts of law. This Bill, if passed, would interfere with one or two dozen cases now before the courts, by putting an interpretation on the law which it did not bear and could not be construed to mean, in order to prevent the unseating, if found to be guilty, of certain members who now occupied seats in the House. The whole object of the legislation of the last three or four years had been to prevent, by adopting the most stringent measures, bribery and corruption at elections ; and yet the very moment we arrive at a stage in our history when these practices are about to be suppressed, propositions were submitted to the House which would have the effect of retaining in their seats hon. members who otherwise would be unseated. If that were the will of the House, it was contrary to his ideas of correct legislation.

Hon. Mr. HOLTON thought the discussion of the clauses of the Bill might have been safely left to the legal gentlemen of both sides of the House. After the personal reference to himself, however, he would simply state that there was a very obvious distinction between cases, where material interests and vested rights were involved and election cases, where there were no vested rights, for no man could be said to have a vested right in his seat. He would regret to see any substantial positions of the law changed, pending the trial of cases arising under that law, but if there were a reasonable doubt as to the intention of Parliament in enacting the law, there could be no wrong, hardships, or violation of sacred principles in legislation, in declaring what its intentions were. Any change in the substantial positions of the law as applicable to pending cases, would be very improper. He was not, however, prepared to say that any such change was postponed.

Mr. BOWELL said it was, with diffidence that he, a layman, had discussed legal questions, but the subject was one that affected all hon. members, and each one might venture to express his opinion as to the effect of the passage of this law. He understood that the amendments was *ex post facto* legislation, and applied not only to the status of a candidate but also to voters. If the flood gates were to be opened so as screen the corruption that had taken place at the late elections they should open them wide, and adopt the principle that he who pays most should get most.

Hon. Mr. BLAKE said if the hon. member for Hastings knew that for the purposes of the Act the first and second elections were to be taken as one election, he knew more than the country generally did.

Mr. BOWELL understood that was the decision of the English courts.

Hon. Mr. BLAKE said it was part of the old law, but he was not speaking of that. He was speaking of the intention this House had in passing the Controverted Elections Act. It was the doubt which existed as to the intention of the Legislature in passing the Act that necessited making it clear. Under the system of open voting it was known how an elector who was bribed recorded his vote ; but it was not so under the ballot. How would the proposition of the hon. member for Hastings, which was to strike off the vote of every elector in the second election, who had been bribed at the first election, apply to the London contest, for instance. In that case neither of the candidates who ran in the first election stood in the second. Would the hon. member strike off the votes of electors in the second election who had been bribed in the first by candidates who were not in the field in the second election ? Take an instance where one of of the old candidates stands again and is opposed by a new man. The former is exposed to the risk of having the votes recorded by voters who were bribed by his agents in the first election struck off in the second. Say forty or fifty were bribed. It is presumed that they voted for the same candidate at the second election and their votes are struck off, whereas the fresh candidate escapes that. There may have been sixty men who voted on his side who were bribed by the candidate he succeeds, but he loses none of these votes. That would be a palpable injustice. He did not believe that it was intended, in passing the law last session, that this should be the effect of it. He was entirely in favor of preserving this unexpected stringency of the law. A candidate who had been guilty of misconduct in the first election should

suffer the consequences of it in the second. It seemed to him that the amendment met the case. The last clause referred to the employment of an agent who had been disqualified. For the purposes of the law, in a new election it must be treated as the one election or as two. If treated as one, then a man who had been proved to have been guilty of corrupt practices as an agent cannot be considered to be a corrupt man in the second election. But if the second election be considered a fresh election, then the agent found guilty of a corrupt act in the first contest suffers the consequences of it in the second.

Mr. BOWELL said there was but one way, then, to avoid the difficulty, and that was to prevent a respondent in an election case from electing to vacate upon acknowledging bribery by agents, or evidence being elicited to prove corrupt acts by himself or by his agents. If every case were thoroughly investigated, and all electors who were proved to have been bribed were struck off the list, it would meet the difficulty.

Hon. Mr. BLAKE—Ask the hon. member for Kingston to frame a clause to that effect.

Mr. BOWELL said the hon. member for South Bruce had the reputation of being the first to suggest throwing up the sponge as a means of getting out of the difficulty of a thorough investigation, and would therefore be equally well able to frame such a clause.

Hon. Mr. BLAKE denied being the first to make such a suggestion. It would be utterly impossible by any process of law to arrange that a case should be tried when both parties to it desired to drop it.

Mr. BOWELL could understand the difficulty in such a case as that, but not when the arrangement was on one side only.

Hon. Mr. BLAKE said it would not be practicable in either case. After a general election it would be impossible. There were frequently two or three hundred particulars in a case, and three or four hundred witnesses summoned. The moment it is ascertained that enough is proved to avoid the election, the only course open is to avoid the election.

Hon. Mr. CAMERON (Cardwell) said if the suggestion of the hon. member for Hastings were carried, it would be necessary to provide a very large contingent fund for such cases. He recollected in one case every man who had voted was summoned as a witness. How would all these men be kept if they were all to be examined? He remembered a case in which he was engaged as counsel in the local elections. They had three days of it. They had summoned to the place where the trial was to be held every witness, and they filled every tavern in the town. On his side they paid the first day $700 as witness fees. The second day, after some of them had been examined and allowed to go, they spent $600 in the same way, and the third day the expense for witness fees was $520. His clients said if they were going to spend any more he did not think his property would stand it. When the lawyer was consulted on the other side he said they had spent still more, because none of their witnesses had been examined. That election was set aside after a few of the witnesses had been examined, and if the law had compelled them to proceed with the case and examine all these witnesses, it would have been necessary to provide a contingent fund or compel the gentlemen on both sides to sell or mortgage their farms to meet the expenses.

Sir JOHN MACDONALD said some reference had been made to his case in this discussion. He had ascertained that his seat could not be held, and he instructed his counsel to say so at once, but the petitioner went on as far as he could to prove bribery by agents, and then to prove personal charges. So far as he (Sir JOHN) was concerned, there was no arrangement made between the petitioner or his counsel and himself to have the case set aside without going into the testimony.

Hon. Mr. BLAKE said he was aware of that fact. He knew that the personal charges had been pressed as far as possible, and that the right hon. gentleman had taken the course which he (Mr. BLAKE) was satisfied was the correct one under the circumstances. The result of the proposition of the hon. member for Kingston would be to render this law perfectly impracticable. The old law was unworkable in consequence of the tribunal and the expense, and if this House obliged people to incur ruinous expense in carrying on an investigation the law would defeat its object.

Mr. BOWELL said that in 19 cases out

of every 20 contestations which had taken place there had been an indiscriminate summoning of witnesses without any knowledge whether these witnesses could throw light on the subject. If his suggestions were adopted it would prove what was called "fishing for evidence," for it would make petitioners more careful what witnesses they summoned, if they knew they would have to pay the expenses of the people investigated. His (Mr. BOWELL'S) desire was to make the law against bribery and corruption at elections just as stringent as he possibly could.

The Bill was reported as amended and the report was concurred in.

DISTRESSED MARINERS' FUND.

The Bill to amend the Act respecting the treatment of sick and distressed mariners was read a second time and referred to Committee of the Whole—Mr. DYMOND in the chair.

Hon. Mr. MITCHELL regretted that his suggestions with reference to this Bill had not been adopted by the Minister of Marine and Fisheries. The whole of his objection turned on the fact that sailing vessels were required to pay only twice a year whilst steamers were required to pay three times. He saw no reason why the hon. the Minister of Marine and Fisheries should discriminate against the latter class of vessels. He knew the argument of the hon. gentleman was that steamers came oftener into port, and brought more sick and distressed sailors than sailing vessels; now, his (Mr. MITCHELL'S) experience was to the contrary. The voyages of steamers were shorter than those of sailing vessels, and consequently the sailors had not time to get sick, and were not liable to become sick from the use of salt meat and want of vegetables as were the sailors on sailing vessels. If the hon. member was determined to persist in this measure he would suggest that an exception should be made in the class of vessels trading along the coast of the Provinces. That would to a certain extent meet his objections.

Hon. Mr. SMITH said that after having considered this matter thoroughly, it did not seem to him that he could with propriety adopt the suggestions of the hon. member for Northumberland. He (Mr. SMITH) did not consider it was an injustice to steamers to require them to pay three times a year. It must be apparent to every one that the vessel which came most frequently into port must leave the largest number of sailors at the Hospital.

Hon. Mr. ROBITAILLE asked if this provision applied to coasters.

Hon. Mr. SMITH said vessels under 100 tons were exempted.

Hon. Mr. ROBITAILLE said that coasters did not send sailors to the Hospitals.

Hon. Mr. MITCHELL explained that coasting vessels on the St. Lawrence when they happened to have sick sailors on board sent them as a rule, to their homes, and they did not become a tax on the public in the same way as foreign sailors did.

The Committee rose and reported the Bill without amendment.

It being six o'clock the SPEAKER left the chair.

AFTER RECESS.

PRIVATE AND LOCAL BILLS.

The following private and local Bills were read the third time and passed:

To amend the Act passed by the Parliament of the late Province of Canada, entitled "An Act to Incorporate the Montreal Board of Trade."

To amend the Act incorporating the Board of Trade of the Town of Levis.

To amend the Act incorporating the Western Insurance Company, and other Acts affecting the same, and to extend the powers of the said Company.

To amend the several Acts incorporating and relating to the Richelieu Company, and to change its corporate name.

To amend the Act incorporating the Canadian Navigation Company.

To incorporate the European and American Express and Agency Company.

To incorporate the Anglo-French Steamship Company.

The following Bills were read the second time and referred to the Committee on Railways, Canals and Telegraphs:

To incorporate the Quebec and Lake Huron District Railway.

Respecting the Huron and Ontario Ship Canal Company.

Mr. MACLENNAN moved that the House go into Committee on the Bill for the relief of HENRY WILLIAM PETERSON.

The motion was carried on division.

The Bill passed through Committee and was reported.

The motion for the third reading was carried on the following division :

YEAS :

Messieurs

Appleby,
Archibald,
Bain,
Bertram,
Blackburn,
Blain,
Borden,
Bowell,
Bowman,
Buell,
Burke,
Burpe (*Sunbury*),
Cameron (*Cardwell*),
Carmichael,
Cartwright,
Casey,
Charlton,
Church,
Cockburn,
Coffin,
Cook,
Cunningham,
Davies,
Dawson,
DeCosmos,
DeVeber,
Dymond,
Ferris,
Fleming,
Flesher,
Galbraith,
Gibson,
Gillmor,
Gordon,
Goudge,
Greenway,
Hagar,
Haggart,
Horton,
Kerr,
Killam,
Kirk,
Laird,
Landerkin,
Macdougall (*Elgin*),
McDougall (*Renfrew*),
MacKay (*Cape Breton*),
McKay (*Colchester*),
Mackenzie (*Lambton*)
Maclennan,
McCallum,
McCraney,
McGregor,
McQuade,
Metcalfe,
Mills,
Monteith,
Norris,
Oliver,
Paterson,
Pettes,
Pickard,
Rochester,
Roscoe,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Rymal,
Sinclair,
Skinner,
Smith (*Peel*),
Snider,
Stirton,
Trow,
Vail,
Wallace (*Albert*),
White,
Wilkes,
Wright (*Pontiac*),
Yeo,
Young—81.

NAYS :

Messieurs

Aymer,
Baby,
Barthe,
Béchard,
Bernier,
Bourassa,
Bunster,
Caron,
Casgrain,
Cauchon,
Cheval,
Cimon,
Colby,
Costigan,
Coupal,
Currier,
Cushing,
Cuthbert,
Delorme,
Desjardins,
De St. Georges,
Dugas,
Ferguson,
Fiset,
Flynn,
Fournier,
Fréchette,
Gaudet,
Gill,
Harwood,
Holton,
Hurteau,
Jetté,
Jones (*Halifax*),
Jones (*Leeds*),
Ladamme,
Lajoie,
Lanthier,
McDonald (*Cape Breton*),
MacDonnell (*Inverness*),
Macmillan,
McIntyre,
McIsaac,
Masson,
Mitchell,
Montplaisir,
Mousseau,
Pelletier,
Perry,
Pinsonneault,
Pouliot,
Power,
Robillard,
Robitaille,
Rouleau,
Stephenson,
St. Jean,
Taschereau,
Thompson (*Cariboo*),
Tremblay,
Wright (*Ottawa*)—61

The Bill was read the third time and passed.

REPORTS.

On motion of Hon. Mr. FOURNIER the report of the Committee of Whole on certain proposed resolutions respecting salaries proposed to be paid to the Chief Justice and Judges mentioned in the Bill (No. 31) to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada, was received, read a first and second time and concurred in.

On motion of hon. Mr. SMITH (Westmoreland) the report of the Committee of Whole on resolutions with respect to the powers and authorities of the Trinity House of Quebec was received, read a first and second times and concurred in.

SUITS AGAINST THE CROWN.

Mr. IRVING moved the second reading of the Bill (No. 13) An Act to provide for the institution of suits against the Crown by petition of right and respecting procedure in Crown suits. He said as he observed that it had been announced in the Senate that the Government had assented to the adoption of this Bill, he would now explain, but very briefly, its objects. There was no procedure in the Dominion whereby the Crown could be impleaded ; and in England the only way, until within recent years, by which the Crown could be impleaded, was by petition of right and the fiat of authority thus given by the Crown had to be under the hand of the Sovereign, advised in the responsibility of the Secretary of State. There was no analogous machinery in Canada whereby such rights could be given. In England some fourteen years ago a Bill similar in substance to this, and from which in fact this was copied, was introduced into and passed by the Imperial Parliament, whereby a petition might be sent to the

Crown and be referred to the Home Secretary, whereby the Crown may be impleaded, the consent of the Crown being obtained in the same way by which the subject could be impleaded. All that had worked with very great satisfaction for fourteen years in England, and had been adopted in Ontario for three or four years, as well as in the Province of British Columbia. He had now introduced this Bill under the impression that it was desirable in the interests of the country, as we were about to give out an extraordinary number of contracts, and as the business between the Crown and the subject would extend to considerable proportions, there would be constant claims by subjects against the Crown, and we should be putting such claimants in a better position, as under this Bill they would have a legal standing in the courts which they do not now possess.

Bill read the second time.

On motion of Hon. Mr. CAMERON (Cardwell), the Bill to amend the law relating to bills of exchange and promisory notes, was read a second time and referred to Committee of the Whole (Mr. PALMER in the chair), reported and read a third time and passed.

PROTECTION TO LIFE ON WHARVES.

Mr. COOK moved the second reading of Bill to provide means of escape for persons falling into the water in the vicinity of wharves and docks.

Mr. KILLAM objected to the bill as being out of order. Since it proposed to deal with a question affecting commerce it should have originated in Committee of the Whole.

Mr. SPEAKER ruled the Bill out of order. It imposed a penalty and should have originated in Committee of the Whole House.

SUMMARY TRIALS.

Mr. MACDOUGALL (Elgin) moved the second reading of Bill to amend the Act for the more speedy trial in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec. He said the object of this Bill was simply to give Judges of the County Courts in Ontario the power to reserve questions at law under the Statute 32 and 33 Victoria. There was a Statute in force in Ontario and Quebec that gave to County Court Judges the power of trying persons charged with offences that could be tried by the General Sessions of the Peace where the person so charged consented to be tried without Jury. Chapter 112 of the Consolidated Statutes of Upper Canada gave the power to the Chairman of the General Sessions of the Peace to reserve any question of law that he might see fit, for the consideration of one of the Superior Courts. Now, he was only asking by this Bill that the same power shall be granted to the Judges of County Courts so that if any question of law should arise on which they desired to take the opinion of the court, they could do so by reserving it. This would be a very great convenience to the person tried, as well as satisfactory to the Judge himself, because if any questions of law arose it could only be brought to the court above at present by proceeding in error, which was very expensive. All that this Bill asked for was to give to County Court Judges the same power under this Statute that they had as Chairmen of the General Session of the Peace.

The Bill was read a second time and referred to Committee of the Whole.—Mr. SCATCHERD in the chair.

The Bill was reported: third reading to-morrow.

INTEREST AND USURY LAWS IN NEW BRUNSWICK.

On the motion of Mr. PALMER, the Bill relating to interest and usury in the Province of New Brunswick was read a second time, and referred to the Committee on Banking and Commerce.

DOMINION NOTE CIRCULATION.

On the order being called for resuming the adjourned debate on the motion of Mr. WILKES for the appointment of a Select Committee on the subject of the Dominion note circulation,

Hon. Mr. MACKENZIE said he would suggest to the hon. member that it was too late in the session to appoint a Special Committee to consider an important subject of that kind; and while he (Mr. MACKENZIE) regretted that he had not obtained a committee at an earlier day, it was quite evident that it would be undesirable to enter on an investigation of that question at this late period of the session. He suggested that the hon.

member should allow the order to be discharged.

Mr. WILKES quite concurred in the remarks of the hon. the First Minister that it was too late to have a committee to consider a question of this character; and therefore he asked the House to allow the order to be discharged.

Order discharged accordingly.

THE CONSTITUTION OF THE SENATE.

On the order for the House to again go into Committee on the resolutions respecting the mode of constituting the Senate,

Mr. MILLS moved that the order should be discharged.—Carried.

CONTROVERTED ELECTIONS.

Hon. Mr. CAMERON (Cardwell) moved that the order for the second reading of the Bill to amend the Acts respecting controverted elections be discharged. —Carried.

PROHIBITORY LIQUOR LAW.

On the House resuming consideration of the motion of Mr. Ross (Middlesex) for a Committee of the Whole to consider a series of resolutions on the subject of a prohibitory liquor law, and the motion of the hon. member for Lisgar in amendment thereto.

Mr. OLIVER moved in amendment to the amendment as follows:—"That all the words after 'that' in the amendment be struck out, and the following be substituted :—' That this House do forthwith resolve itself into Committee of the Whole to consider the means best calculated to diminish the evils of intemperance.' "

The amendment to the amendment was carried.

The House then went into Committee of the Whole.—Mr. GOUDGE in the chair.

Mr. ROSS moved that having regard to the beneficial effects arising from a prohibitory liquor law in the States of the American Union in which the same was fully carried out, the House is of opinion that the most effectual remedy of the evils of intemperance is to prohibit the manufacture, importation and sale of intoxicating liquors.

Hon. Mr. CAMERON (Cardwell) said the most effectual means of accomplishing prohibition would be to do away with drinking altogether.

Mr. ROSS said if Parliament would prohibit the manufacture, importation and sale of intoxicating liquors he was quite willing, so far as he was concerned, that other people should use it if they could get it.

Hon. Mr. HOLTON thought that as this measure was scarcely expected to come up to-night the Committee should report progress and ask leave to sit again.

Mr. BOWELL said that if it was the desire of the hon. member for Middlesex to give effect to his resolution something should be added to it. The mere affirming of the principle without any intention of going further seemed to be playing with a very serious question. In order to give effect to the principle laid down it would be desirable to adopt another motion to the effect that the Government should take up the question, and at a future time submit a measure to the House. He therefore moved that the following be added to the resolution :—"And that it is the duty of the Government to prepare a measure at as early a day as possible to carry the principles of prohibition into effect."

Hon. Mr. HOLTON said he would now make the motion he had thrown out as a suggestion a little while ago, and for the same reason then given—the action of the hon. member for North Hastings. He would move that the Committee rise, report progress and ask leave to sit again, Seconded by Sir JOHN A. MACDONALD.—Carried on division.

SUPPRESSION OF GAMING HOUSES.

Mr. MOSS moved the second reading of the Bill for suppressing Gaming Houses and the Keepers thereof. He said he had already fully explained the objects of the Bill. It had been found by experience that although the authorities were well aware that gambling was being practiced in certain houses, the means which the law at present gave them of entering those houses and obtaining the requisite evidence for the punishment of the persons concerned in the offence were entirely inadequate. He accordingly proposed to give to the authorities powers which had been given in England under similar circumstances, and had been found exceedingly beneficial in their practical operation. It was notorious that although

the authorities were perfectly well aware that gambling was going on in a particular house, and although evidence of the most difficult kind reached them that the offence was actually being committed, when they had managed to obtain an entrance by the only way they could by the law as it stood at present, the only evidence of the fault was generally the extreme innocence that persons engaged in the offence exhibited. This Act would provide that the police magistrate of any town or the commissioners of police might upon information in writing from the proper authorities, such as the chief constable or the deputy chief constable or other proper officer, could give power to such officers to enter any place which the report stated was used as common gaming houses, and that for that purpose they might, if necessary, use force. Of course the officers who were to give this information would be extremely careful not to give it unless there were reasonable grounds for believing it to be true. No abuses had arisen in England from the exercise of this power; on the contrary it had been found to be exceedingly benificial. It had been found by experience that when an entrance had been made by officers into a gaming house they were scarcely ever able to find the implements that had been used in the game. The Act provided that the officers could make a very wide search for the purpose of finding any instruments of the game. The Act further provided that the proof of persons being engaged in gaming should be made more easy and simple; officers never did actually find persons engaged in gambling. As soon as an entry was made into a house there was no gambling going on, and all the officers could possibly find were the instruments though they might have a very strong suspicion that the offence had been committed. This Act provided that if the implements of gambling were found in a house it would be presumed that gaming was going on, and the burden of proving innocence would be thrown upon the persons who had been found in the house. The Act also provided that no person should obstruct an officer, who, under the direction of the authorities, had entered a house on the ground of its being devoted to gambling purposes; and if the officer be so obstructed it should be considered evidence that the house was of evil character. This was an extremely necessary provision. The tendency of occupants of such houses was to prevent officers entering, and the attempt to obstruct or prevent the entrance, and to resist the mandate of the law should be considered evidence of the offence, and the cases of proof of innocence was thrown upon the resisting occupant. The Act provided that persons arrested in the house would be required to give evidence as to what was going on, and should not be allowed to protect himself by the statement that his evidence would be incriminating. At the same time if he made a fair and full disclosure to the satisfaction of the court, he would receive a certificate that would prevent any of the facts being used to his injury. This vice might not be so prevalent in our country as in some other countries, but it was assuming proportions in this country, especially in some of the frontier towns and villages, where it was customary for persons to come from the other side to carry on gambling with impunity within our borders, because the arm of the law was too weak to reach them here. He hoped this Bill would pass, and it would have the effect of preventing them from continuing such practices. In introducing the Bill he had mentioned a doubt as to whether or not the Bill was one which should have been initiated in this House or in the Legislature of Ontario. He had conferred with his hon. friend the Minister of Justice, and had concluded that it was quite within the competency of this House to initiate this legislation. In fact, legislation of this kind ought to be initiated here rather than in the Provincial Legislatures, as the offence was clearly a misdemeanor at common law.

Mr. WRIGHT (Pontiac) asked if this Bill referred to pool selling.

Mr. MOSS said that matter had been suggested to him since he had been here. Unfortunately he was not sufficiently familiar with the art of pool selling to know what would be the proper means of preventing its continuance. He hoped at a future session to be able to deal with that offence also.

The Bill was read a second time and referred to Committee of the Whole—Mr. MACDONNELL (Iverness) in the chair.

The Bill was reported.

The third reading was postponed until to-morrow, Mr. SPEAKER desiring to consider whether it was not out of order since

it imposed penalties for certain offences.

HOMESTEAD RIGHTS AND WOOD LOTS IN MANITOBA.

Mr. RYAN asked whether it is the intention of the Government to amend the law so that those who have settled upon Dominion Lands in Manitoba, for the purpose of acquiring homestead rights, will get their wood lots without payment of the twenty dollars charged at present.

Hon. Mr. LAIRD—It is not the intention of the Government to bring in such an Act this session. During the recess we will duly consider the circumstances which may arise and decide whether it would be advisable to do so next session or not.

Mr. RYAN asked whether it is the intention of the Government to confine the system of leasing wood lots in Manitoba to the settlement belt.

Hon. Mr. LAIRD—It is not the intention of the Government to extend it beyond the settlement belt at present.

Mr. RYAN asked whether it is the intention of the Government to amend the law so as to extend to persons settled upon homesteads in Manitoba at the time of the passing of the 37th Vict., Chap. 19, the right to pre-empt a quarter of a section of Dominion Lands, given by that Act to persons settling after its passage.

Hon. Mr. LAIRD—As I have already stated, it is not the intention of the Government to amend the Dominion Lands Act this session. During last summer by Order in Council we provided for persons, who had come in up to that time, pre-empting quarter sections adjacent to them.

Mr. RYAN asked whether it is the intention of the Government to take any measures to prevent the valuable woods south of the Assiniboine, in the county of Marquette, from being destroyed by the constantly occurring prairie fires.

Hon. Mr. LAIRD—This is a matter with which the Dominion Government considers it has nothing to do. The Local Government must attend to it.

Mr. SCHULTZ asked whether it is the intention of the Government to permit Homestead settlement on any portion of the twenty miles belt along the proposed Railway line from Rat Portage to narrows of Lake Manitoba?

Hon. Mr. LAIRD—The matter is under consideration. No arrangements have yet been arrived at in that direction.

The House adjourned at ten o'clock.

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THE PROHIBITORY LIQUOR LAW :—The following portion of the debate on the Prohibitory Law on the 16th inst., was accidentally omitted.

Mr. WHITE, in seconding the amendment moved by Mr. SCHULTZ, said he did so because although not a teetotaller himself he believed the Government to be the proper parties to take this matter up. To adopt the original motion would amount to nothing, and was like the member for Centre Toronto, who made a long speech denouncing the result of the election of Mayor in Toronto because one of the candidates advocated the granting of a greater number of tavern licenses than the hon. member thought necessary. The hon. member, however, might well do that, for he owned a property in Toronto which was rented for a hotel—the American House—and the fewer licenses granted the more valuable would that property be. Since he (Mr. WHITE) had been in Ottawa he had seen an hon. gentleman take a bottle of wine at dinner on a Sunday, and then go and deliver a violent temperance lecture in the afternoon. He would like to see this put an end to by the passage of a Prohibitory Liquor Law. He fully approved of the suggestion made by the member for North Ontario that the Government should protect the interests of those who had their means invested in the trade on the same principle that Great Britain indemnified the slaveholders in the West Indies on the abolition of the slave trade.

Mr. WILKES, in reply, stated that the statement just made was simply a repetition of what had appeared in certain newspapers. He did not reply to it then, nor would be now. His character was sufficiently established not to be affected by such slanders. It was true he owned the American Hotel in Toronto, but he nevertheless would vote for a Prohibitory Liquor Law, and take his chances with the others as to the loss that might follow.

HOUSE OF COMMONS,

Saturday, March 20th, 1875.

The SPEAKER took the chair at three o'clock.

RAILWAY PROPERTIES.

Mr. JETTE asked leave to introduce a Bill to amend the Railway Act of 1868. He explained that its object was to remedy a defect in the General Railway Act. Some of the Railway Companies were possessed of property which they did not use for railway purposes. He knew one company in the Province of Quebec which held a very important property in Longueuil that had not been employed for railway purposes for fifteen years, and no company could have possession of it either by ex-propriation or otherwise. It became evident that after a certain time these companies should be placed on the same footing as private individuals, and he would like to allow other companies to ex-propriate such lands if necessary.

The Bill was read a first time.

A QUESTION OF ORDER.

Mr. SPEAKER said he felt it his duty to state that having looked carefully into the authorities with regard to the Bill of the hon. member for North Simcoe, he was satisfied that the Bill was in order, and that the old principle of regarding penalties imposed for the purpose of enforcing an Act of Parliament as an impost upon the people, in the ordinary sense, had virtually become obsolete. In accordance with modern practice, the Bill was in order. The other objection he regarded as untenable.

Mr. COOK asked permission under the circumstances, to allow the Bill to be advanced a stage.

Mr. JONES (Halifax) was unwilling that the Bill should be proceeded with without a full explanation of its object. The House would see that it was utterly impracticable to carry out such a measure in the Maritime Provinces. It might, perhaps, apply very well to inland waters where there was no great tidal wave, but it would be impossible to keep ladders on wharves in the harbors of the sea-coast. It would be a great inconvenience to vessels. The more the Bill was looked into the more objectionable it appeared. If the hon. member for North Simcoe insisted on pressing his Bill, he (Mr. JONES) would feel obliged to move a three months' hoist.

Mr. KILLAM suggested that it should be referred to the Committee on Banking and Commerce.

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

QUESTIONS OF PRIVILEGE.

Hon. Mr. BLAKE said before the Orders of the Day were called he proposed in accordance with the intimation he had given of his intention to call attention, on a question of privilege, to the petition which it became his duty to present some time ago, and which was printed in the votes and proceedings of yesterday. That petition being forwarded to him he believed it to be a duty incumbent upon him as a member of Parliament to give the petitioners the opportunity of stating their grievances or alleged grievances by presenting the petition to the House. Of the accuracy of the facts therein stated, he had no further knowledge than he drew from the fact that those signatures to the petition were appended by parties, and the petition came to him from a source which was a sufficient guarantee of the genuineness of the signatures, and the respectability of the names. He desired to call the attention of the House to the subjects of which the petition complained, and the course which it appeared to be proper to invite the House to take in regard to it. The petition complained of certain matters in connection with the last election for the county of Victoria. It might be divided into two parts—one with respect to the appointment of the retiring officer, and the other with respect to the conduct of the returning officer in the execution of his duty. He was informed that the petition was now pending in the proper court for the trial of controverted elections, for the county of Victoria, and in that petition of course it was competent to the petitioners to prefer any complaint they might have as to improper conduct on the part of the returning officer relative to the merits of the petition. There might, however, be some conduct on the part of the returning officer which did not relate to the merits of the election petition, and which would not there-

fore come under the cognizance of the court; but most of the acts which the returning officer might be charged with would come before the cognizance of the courts necessarily, and inasmuch as the principal acts here complained of in the conduct of the returning officer were such as properly came before the cognizance of the courts on the trial of an election petition, it did not appear to him that it would be acting in accordance with the spirit of the Act to invite the House to deal with the conduct of the officer in the present state of these proceedings. He would he very sorry to believe that the House had been deprived, by the position of the Controverted Elections Act, of its power over returniug officers, and deputy returning officers—of its power to investigate complaints made against them, and to punish them for improper conduct. But when Parliament transferred the trial of election petitions to the Judges, and expressly provided that the conduct of returning officers might be complained of, and they might be made respondents to petitions, Parliament thereby expressed a preference for that mode of investigation, or at any rate a petitioner could adopt that course. Under those circumstances he did not think it would be proper to ask the House to enter into an investigation of the conduct of that returning officer pending the election trial. The appointment of the returning officer was a different matter. In the petition certain allegations were made which the leader of the Government would have an opportunity of answering. Hon. members knew that the general discretion of the Government with respect to the appointment of returning officers was by the present Government abridged during last session, and an Act was passed providing that the writs should be sent to one of two officials who existed in every county, from which the electoral districts were formed, namely, the Sheriff and the Registrar; and in the event of a refusal through his disqualification or inability to act, the GOVERNOR GENERAL in Council might appoint another person as returning officer. The petition contained the statement that the writ was not offered to the Sheriff, and that a person being neither the Sheriff nor the Registrar was appointed returning officer. He had been informed not by any member of the Government that there was good and sufficient reason for that course, in that the High Sheriff was unable to act because he was engaged in the discharge of his duty, as an officer of the Local Government, in holding an election the same day. The Government would state whether that was the case or not, and it seemed to be impracticable that the High Sheriff could discharge the duties of returning officer at two elections, when the polling places were at different places and the hours of polling different. There was also the complaint made in the petition that the returning officer was a person of no property in the county, and a brother-in-law of one of the candidates. Upon that he had no information other than what was contained in the petition. He had felt it to be his duty to present the petition which had been forwarded to him, and also felt it to be his duty, not only to the petitioners, but also to the Government, having presented it, to address those observations to the House in order that the Government might offer the necessary explanations with respect to the appointment of the returning officer.

Hon. Mr. MACKENZIE said that he was not aware that his hon. friend had given notice of his intention to bring the matter up to-day, and had not therefore made inquiries from the Secretary of State of the reasons for appointing as returning officer the person referred to. He would offer the necessary explanations on Monday.

Sir JOHN MACDONALD said he heartily approved of the course taken by the hon. member for South Bruce. He was glad the hon. member did not propose to ask the House to consider the points raised in the petition when the election case was before another tribunal; at the same time it was not to be supposed that the House had abandoned its right to control, censure, and if need be punish, returning and deputy returning officers.

Hon. Mr. MACKENZIE — Since making the statement which I have made to the House, I have been informed that the reason this gentleman was appointed returning officer was that the Sheriff was otherwise engaged and the Registrar refused to act.

Sir JOHN MACDONALD— Then, of course, the Act applies, and the Government may appoint who they please.

Mr. CHARLTON rose and desired to call the attention of the Government to the fact that since the death of Judge WILSON three months ago there had been no adequate provision made for the transaction of legal business in the county of Norfolk.

Hon. Mr. MACKENZIE said the hon. member should have either put a notice on the paper or given him notice privately of his intention to bring up the question. To discuss the subject at the present time was quite irregular.

Sir JOHN MACDONALD advised the hon. member to put a notice on the paper respecting the subject.

Hon. Mr. MACKENZIE —My hon. friend called my attention privately to this matter, and it has been attended to as far as the Government can attend to it.

INSOLVENCY.

Hon. Mr. FOURNIER moved the House into Committee to consider the Insolvency Bill. He said the Select Committee to whom the Bill was referred had held numerous sittings, and had devoted much attention to it. With respect to the appointment of official assignees, the intention of the Government in taking to itself the power to appoint those officers was as far as might be in the public interest to appoint to those offices Sheriffs, who, he believed, would be acceptable as such officials. When the Bill was in committee, hon. members had stated that if it was the intention of the Government to appoint Sheriffs their principal objection to the Government having this power would be removed.

Mr. YOUNG understood the hon Minister to have offered an explanation only on one point of the Bill. As the question of an Insolvency Law was one of great importance to the country, he hoped the hon. Minister of Justice would extend his remarks so as to clearly indicate the changes made in committee, and that leading members of the committee would offer explanations, for by adopting that course the progress of the Bill through the House would be accelerated.

Mr. POULIOT:— Je ferai observer que la discussion de ce Bill semble prématurée. La Chambre n'a pas encore eu le temps de lui rendre justice. La version anglaise vient d'être distribuée, et nous n'avons pas encore eu la version française. Ce Bill est très important et nous devrions avoir le temps de l'examiner avant de procéder à le considérer.

Hon. Mr. FOURNIER explained that the Bill as amended in committee had been reprinted, the object being to allow members an opportunity of noticing the amendments made. When the House was in committee he would, when necessary, call attention to amendments which had been inserted when the Bill was before the select committee. The Bill was a very long one, and had been examined with very great care by a special committee, and as he believed the Senate would require a good deal of time to consider it, he did not think hon. members would insist upon any more details before entering upon the consideration of the Bill in committee, when it could be discussed and explained clause by clause. He hoped the French members would not insist upon having a French copy for this afternoon as it had been impossible to get them printed, and he was desirous of proceeding without waste of time.

Mr. YOUNG said they had only just received copies of the Bill and had very little time to compare it with the other Bill, but probably all would be quite satisfied with the suggestion of the hon. Minister of Justice.

Mr. DECOSMOS said he hoped this Bill, if adopted, would not be applied to British Columbia. There they had some years ago adopted the English law, and it had been found to work very satisfactorily; and the application of this law would be a step backwards as far as British Columbia was concerned.

The House went into Committee of the Whole—Mr. IRVING in the chair.

On the first clause,

Mr. MILLS inquired whether it was the intention that the Act should apply in case of a non-trader who through becoming surety for a trader was unable to meet his liabilities. He thought the Act should contain some provision to meet such cases as these were of not unfrequent occurrence. He did not desire to have the principle of the Insolvency Bill extended to non-traders, but he thought a provision should be made that when any trader or non-trader could go into insolvency the trader ought not to be discharged from his liability to a non-trader. For instance, a farmer was called

upon to endorse for a retail merchant, and while he was held liable to the full extent of which he had incurred as an accommodation or endorsation for another, the trader could go into insolvency and get discharged in time, and the farmer would have no charge against him and might have all his property taken from him to meet the obligation incurred on the trader. He thought it was only just that the Act of Insolvency should not give traders a discharge from any liability incurred to non-traders. The retail dealer in the country incurred liability to the wholesale merchant from whom he purchased, but the latter took into consideration the risk, and by his charges and profits in a general trade, in fact insured himself against a certain number of failures; but the non-trader stood in no such circumstances, and while he was liable to the trader to the full extent of his indebtedness, whatever the circumstances, he had no remedy against the trader other than that which was possessed by other parties. If we did not give traders a discharge which did not extend to the community at large, we ought not to extend that discharge beyond those who were actually engaged in business, but the liability should still stand as between the trader and the non-trader.

Mr. COLBY said at a meeting of the committee he had brought up the same matter, and there had been an informal discussion, but no memorandum had been made, and he intended to bring before this committee an amendment setting forth that view. He believed that it was within the knowledge of many hon. members that many instances had occurred in which non-traders who had become creditors, or essentially sureties, for traders who had failed, had become involved in the same calamity without the same opportunity of being relieved from their obligations, and in many instances farmers had been obliged to sacrifice their entire property to meet that class of engagements, and could get no relief whatever. He could see no reason why a farmer who lent his credit to a trader should become involved in the same calamity as the trader and not stand, as far as relief was concerned, in precisely the same position as the trader. He thought the proposition he had made met such cases fully. As to the other proposition of the hon. gentleman (Mr. MILLS)

Mr. Mills.

he did not think it would be practicable. It might lead to collision between traders and non-traders if it were provided that there should be no discharge of the non-traders' obligations, by which the former could transfer negotiable securities to the latter. He did not think it was in the interest of any class that the operation of the Act should be extended further than it was. Many had assumed that it would be a benefit to extend it to the farmers of the country, but he thought there would be no greater possible injury to them. This Act was not a beneficial one for the trader, but it was purely in the interests of the creditor, and the relief given was only that fair relief which should be given under the circumstances. If it were made to apply to the farming classes, or to all classes in the community generally, it might result in the most disastrous consequences. Farmers might find themselves through a short harvest, or from any other cause, unable to meet their liabilities, and if they were thrown within the stringent provisions of this most stringent Act, they would find themselves stripped of their property and placed under most disadvantageous circumstances.

Mr. PALMER said there was a great deal in what the hon. member for Stanstead stated, but it was well worth discussion whether the operations of the Act should apply to all parties. He thought that every person in the Dominion came within the provisions of the Act. It would be impossible to carry it out in the manner his hon. friend had proposed. As he (Mr. PALMER) understood the proposition, it was that if a farmer endorsed for a merchant he sould receive the benefit of the Act, but did he mean that the farmer could get a discharge from that liability or from any liability. If he proposed that the farmer should be discharged from all his liabilities, it carried the Act to the farmers, for there was nothing to prevent a farmer getting into that position; and if it were proposed to clear him of all his liability, his whole estate would be taken away from him before he could get his discharge.

Mr. COLBY said it was intended to relieve the farmers of their liability.

Mr. PALMER thought the principle of voluntary assignment should not be in the Act at all. His own view of the working of this Act, so far as had seen it in his own

Province since 1865, led him to be against it altogether. His idea was that an Act of this description ought to be temporary in its application, and not permanent. People in this country generally go into business without much capital, and in the event of a great crisis coming on, an Act of this description, of a temporary character, would be useful for the purpose of clearing persons who happened to require its provisions. He was not, however, going to oppose the Act, but should be rather inclined to include everybody within it. If, however, any class of subjects were to be excluded from it they should be put under exceptional circumstances, because he believed the working of the Act led to a great deal of practical fraud. He thought it would be impossible to eliminate fraud by the practice of voluntary assignments. It had been tried in England and persons of knowledge and experience admitted that it utterly failed, and it was often found that assignments supposed to be voluntary were arranged by friendly creditors, who made a composition for the exclusion of other and real creditors.

Mr. JONES (Halifax) said there was another principle underlying this Insolvency Act which hon. gentlemen had not fully considered. An Insolvency Act was not intended for every one. It was only intended for that class of the community who by the nature of their trade are subject to great risks. The class of people named in the first clause were, from the nature of their occupations, exposed to great risk, while, on the other hand, the farmer, and those who worked for hire, were not running any risk which would involve them in insolvency.

Hon. Mr. BLAKE said the observations of the hon. member for Halifax furnished the true solution of this question, and the true justification for any Insolvency Act at all. Of course, there was something captivating at the first blush about the motion of the hon. members for Bothwell and Stanstead, but in practice the Act would not work satisfactorily if this rule were adopted. The general policy of this Insolvency Bill was that there were certain risks in trade which rendered it justifiable under certain circumstances to take the property of the trader and apply it in liquidation of his debts, trading and non-trading; and that being done honestly, to give him a discharge of all his liabilities. And why was this? Because it was said to be in the interests of the country that a trader should be entitled to his discharge and allowed to resume his occupation instead of compelling him to leave the country. The hon. member for Bothwell wished to have the discharge affect none but the trading debts. But, if the discharge were not complete it would be valueless. Everything the trader possesses is taken from him, and if he is left loaded with debt the object and justification of the Bill is blotted out. Then the hon. member for Bothwell contended that traders and non-traders stand on a different footing. It is true they do. The trader runs risks in the actual discharge of his vocation, which the non-trader does not. The non-trader need not endorse or lend money to the trader if he does not like. If he chooses to lend money or endorse for the trader, he knows that in doing so he runs among other risks this one—if the trader to whom he lends money or for whom he endorses should become insolvent, the debt will be wiped out, and he cannot recover it. What hardship is there upon him then? He enters into the arrangement voluntarily and knowing the risk he runs. He (Mr. BLAKE) believed it was one of the greatest mischiefs in this country that trade is conducted so much on the credit system, and anything which points out to the non-trading community the impropriety, the risks and the dangers which they incur by lending their money or credit to traders will be a benefit to them instead of a disadvantage.

Mr. COLBY—That has been pointed out always.

Hon. Mr. BLAKE said it had, but his hon. friend encouraged them to lend it. Now, he (Mr. BLAKE) said to the non-trader—"Do not lend your money, do not give your credit to the trader. Tell him he should trade on his own credit. Remember the words of Solomon and don't give surety." The relation of the non-trader to the trader is voluntary.

Mr. WOOD quite agreed with the hon. member for Bothwell that great hardship was sometimes done to farmers who were by some means or other inveigled into endorsing paper for country merchants. He thought that this was wrong in two ways. It was wrong to the farmer and to the wholesale merchant who was misled by

the very fact of the endorsation. It frequently happened that a trader fell behind and induced a farmer to endorse for him, thus enabling him to get deeper in debt by a sort of false pretence. The farmer is the loser, but, as had been pointed out, it is not the business of the farmer to endorse notes. It is his business to sell the products of his farm for cash, and it is the business of the trader to buy and sell goods. If the principle advocated by the hon. member for Bothwell were adopted, every farmer in the country would be encouraged to go into insolvency. It would encourage him to go into speculations that he would not otherwise undertake. Very few farmers are placed in a position to be required to take advantage of this Act, and for the small number who would, it was not worth while to make this special provision.

M. POULIOT :—Je dirai de suite que je préférerais qu'il n'y eut pas du tout de loi de banqueroute. Mais puisque l'état de société l'exige, dit-on, il est désirable qu'une telle loi soit aussi propre que possible à protéger les victimes des dangers du commerce et à punir l'extravagance et la fraude. Si l'on jette un regard en arrière, on voit comment le système des banqueroutes s'est introduit dans notre pays. Des étrangers sans moyens ont d'abord commencé un grand commerce dans nos grandes villes, menant grande vie et faisant brillant étalage, ou se livrant à des spéculations très hazardeuses. Bientôt après on apprenait que ces grands marchands étaient en banqueroute, après quoi on les voyait apparaître réellement plus riches qu'auparavant. Les marchands Canadiens de nos villes suivirent naturellement leur exemple avec le même résultat. Puis les campagnes furent ensuite atteintes de la contagion, et comme toutes ces banqueroutes augmentent le prix des marchandises, ce sont les consommateurs qui souffrent. Il en est résulté de grands vices pour la société, la morale a diminué, le luxe s'est répandu, le commerce même on a souffert, et les établissements agricoles ont été empêchés par la tentation qu'offrait un commerce, malhonnête dans bien des cas, et considéré comme un moyen de vivre aisément, de mener la grande vie et de s'enrichir en peu de temps. Autrefois un marchand vivant avec économie et conduisant ses affaires avec prudence, augmentait son crédit; aujourd'hui on considère que c'est un signe que ses affaires sont mauvaises et qu'il va tomber en banqueroute. On peut aussi être en garde contre le marchand qui, à la veille de l'hiver, faits de grand approvisionnements et grossit son passif dans la proportion qu'il grossit son stock. Pourquoi le commerce ne ferait-il pas comme les cultivateurs qui s'entr'aident entre eux quand ils sont la victime d'une inondation ou d'un incendie ! Mais s'il faut absolument une loi de banqueroute, encore une fois faites en sorte, autant que possible, qu'elle protége les marchands malheureux, et non pas la dissipation et la fraude.

Mr. COLBY said the committee were now but on the first clause of the Bill, yet the discussion had been lengthy. He did not think this was a fitting time to discuss the general principles of the measure, and in order that something definite might be before the Chair, he would move the amendment to the provisions of which he had directed the attention of the committee already. He therefore moved in amendment: "That the following words be added to the first section, to follow the 35th line, viz.: This Act shall also apply to non-traders, who, by reason of being creditors or sureties of insolvent traders, are unable to meet their engagements" To show how necessary it was that this amendment should be made, he pointed out that the Bill provided that millers who were unable to meet their engagements could take advantage of the Insolvency Act, whereas the farmer who sold his grain to the miller, and because of the failure of the miller also became insolvent, was precluded from its advantages. He (Mr. COLBY) could not see for what reason any difference should be made between the two. The same cause had operated to bring them both to the same condition. In the same way, if the farmer entrusted his grain to the grain-merchant, the grain-merchant became insolvent, and as a consequence the farmer also failed to meet his liabilities; and if the grain-merchant were to be absolved from his obligations, he did not see why the farmer should not receive receive absolution also. The hon. member for South Bruce said it would not do for farmers to take risks. The hon. member spoke as if some new feature of legislatian were being initiated in that direction. The truth was, however, that no change was being proposed in the law. If the logic of the hon. member for South Bruce were carried to its

proper conclusion, it would be enacted by law that no farmer who became a creditor should be able to collect his debt. This was the only possible way of preventing a farmer from taking risks. If a farmer, seeing a friend or a relation in difficulties risked his all in order to extricate him, and by this manly and self-sacrificing act was himself involved in the common fate, he should be placed in the same position, at the very least, as the man whose misfortune was the cause of the failure. He did not under ordinary circumstances, believe in making this law applicable to the farming community ; but under the peculiar circumstances prevailing, he believed a provision such as he proposed should be made. He was not stating any hypothetical case, but facts which occurred every day. He desired to press his amendment as being in the interests of the farmers, and if it were not agreed to in committee, he would make a similar proposition on concurrence. He saw no danger of bad results if his amendment became law.

Hon. Mr. MITCHELL said he agreed with his hon. friend from St. John, that there should be no Insolvency Law at all. Whilst taking that view, however, he was free to admit that the great force of public sentiment was in its favor. He entirely dissented from the principle, but if we were to have a Bankruptcy Act, it should, he thought, apply to all classes alike. The first section of the Bill before the committee he deemed to be most inartistically drawn. It was said to be framed upon an English Act—certainly not the Act in force in England at the present day, for its benefits were extended to all, irrespective of their being traders. He read the clause over, showing that while carpenters were included, blacksmiths were excluded, brickmakers were given the advantage of the law, and an ice dealer was not, aud so on throughuot. He could see no justification of this system of picking out a few favored classes in this way. If the Act was going to be of any benefit to the country, why not extend those benefits to all, why, for example, should the great and important lumbering interest be excluded.

Sir JOHN MACDONALD said the end of the clause covered that objection entirely.

Hon. Mr. MITCHELL doubted very much whether it would. It would be difficult, for example, to say under what designation the lumberer could classify trees felled in the woods, and the clause required that the nature of the goods should be specified. If this clause were sustained, and we were to have special class legislation, it would be far better merely to state what classes were excluded. He was in favor of a law which would confer upon every person in the community whatever advantage or disadvantage there was to be derived from it. If no other hon. gentleman submitted a resolution to that effect, he would do so himself.

Mr. OLIVER said his hon. friend from Hamilton had stated that if the Act were made applicable to farmers they would all go into insolvency ; but he assured his hon. friend there was no fear of that. He denied also the correctness of the same hon. gentleman's assertion that farmers ran no risks ; they ran just as many risks as any class mentioned in the clause before the committee. He held that a great injustice would be done the agricultural community, subject as they were to the chances of having their crops ruined by bad seasons, if they could have no relief when they got into difficulties. The distinction between those who cultivated land for ordinary agricultural purposes and those who tilled the land to send its products to the market, the former of whom was excluded from the operation of the law, and its advantages conferred upon the latter. Neither could he agree with the amendment of his hon. friend from Stanstead. It would still not apply to the great mass of those who unfortunately required an Insolvency Act. The only remedy of this defect was to make the Act apply to all. The farmers composed a very large majority of the people of this country, and he considered it extraordinary and unprecedented that they should be excluded from the privileges of this Act. His hon. friend from Hamilton said a farmer had no right to endorse paper to a country or city merchant, but the truth was that these merchants compelled the farmers to endorse their paper. He was himself of the same opinion as the hon. member for St. John, that there should be no Bankruptcy Law, and the same opinion was shared by a great many gentlemen in this House.

If it had not been for the interference of Boards of Trade, the Insolvency Act on the Statute Book would have been allowed to lapse; but those bodies had not only assumed to legislate for themselves and dictate to this House, but also to legislate for the whole community. If it had not been for the pressure which those Boards brought to bear there would have been no longer an Insolvency Act. The late law acted as an inducement to young men to enter into business without either experience or capital, knowing that if unsuccessful they had an institution created by Parliament to protect them in the event of failure, and if successful so much the better for themselves. Many failures which occurred were due to the action of the wholesale houses of Montreal, Toronto and Hamilton, whose representatives visited every village and pressed goods on the merchants, offering three and six months credit, and even twelve months credit to make a sale. It was the practice of travellers for the wholesale houses pressing their goods on the country merchants that had caused so much distress.

Mr. JONES (Halifax)—They cannot compel the merchants to take the goods.

Mr. OLIVER said that while such was the fact, when country merchants owed the wholesale houses a debt they were often induced by travellers to take more goods than they required. The representatives of the wholesale houses visited the village in such numbers that frequently ten or fifteen of them called on a trader in one day. He hoped in framing the Insolvency Law there would be no attempt at class legislation, for if such a law were desirable for the brick maker, the tailor and other traders, it would be also good for the farmer.

Hon. J. H. CAMERON said it was quite certain that if every clause was to be discussed after the manner in which the discussion had commenced, the debate on the Bill would not be closed by the middle of April. There were three propositions that in some way or other the House would have to decide upon before they could come to a conclusion respecting the measure. The first was whether there should be an Act of Insolvency at all. Many persons thought there should not be such an Act constantly enforced; but that when a period of great distress came, Parliament should sweep away the consequences by having an Insolvency Law passed. But the feeling of the people of this country was that there should be an Insolvency Law of some kind. The second question which hon. members discussed at the very beginning of the debate in committee on the Bill was whether the Bill should apply to non-traders as well as traders, or to traders only. His own idea was that it should apply to all sections of the community exactly as was the case under the present English Law. According to the old law in England there were two Statutes, a Bankrupt Law for traders and an Insolvency Law for non-traders. For a great number of years the law was carried out in a separate and distinct manner for these two classes of the community. Only four years ago the Imperial Government made alterations in the law, by which they merged the two classes of business into one law, and they were now conducted under the same Act, applicable, in different ways, to both traders and non-traders. Thus, in a country having such large commercial transactions as England, he did not find that they had found it desirable to confine the principle merely to traders, but they had extended the principle to non-traders too. He failed to see how it was possible to carry out the view of the hon. member for Bothwell, or that embodied in the amendment framed by the hon. member for Stanstead. It was absurd to say that because a non-trader endorsed a trader's note that thereby he became a trader, as that was what would have to be said if the proposition was carried out. It was desirable that the question should at once be decided by the House, by some hon. member moving an amendment, whether the Act should be so applied to non-traders as well as traders. The third question on which a great deal of opinion existed, was whether the insolvency should be a voluntary law or purely a compulsory one. Many persons said that as the law was now being framed the act of insolvency would be as much a voluntary as a compulsory one, because, it was alleged all a debtor had to do was to make an arrangement with some of his creditors to place him in insolvency; and although the committee had endeavored to prevent it by inserting a clause requiring that an affidavit be made alleging that no collusion had taken place, everybody knew perfectly well that what

might not be collusion under the law might have the same effect. But so long as the law declared that the insolvency must be compulsory, he thought the provision inserted in the Bill in regard thereto might be made more stringent. This was another point, therefore, on which discussion might necessarily take place, and a decision theron be arrived at by the House before they entered upon a consideration of some of the minor clauses. He was prepared to move, if it were not done by some other hon. member, that the provisions of the Act be extended to non-traders as well as traders, whereby the question would be raised whether the country was to have an Insolvency Act, it should not be made similar to the law in England and apply to all classes of the community.

Mr. MACLENNAN thought it would be a great misfortune in this country if an Insolvency Law were passed which should be applicable to the whole community. It was of the highest importance that we should admit the obligation of every man to pay the debts which he had legally incurred; that principle must rest at the very foundation of every well regulated and well governed community. He believed that when a man incurred a debt he ought to feel that he was placing not merely his present property, but also his future property in the scale for the purpose of paying the debt; not only so, but that he was incurring an obligation which would affect not only his own comfort, but also the comfort of his family. Any law of a general character which tended to impair that obligation, which ought to be preserved, was an unsound and impolitic law, and ought not to be enacted by any Parliament. Then, if that principle were a sound one, we must bring the portion of the community, to whom we apply an Insolvent Act, into some exceptional position with respect to that principle, and the only ground on which an Insolvent Law could be defended was that it was for the interest of the community that a certain portion of it should embark in business of a kind which involved risk. We therefore proposed to confine the operations of the law to that portion of the community who were engaged in business attended with risk, and we would be violating the principle he had ennunciated by going beyond that class. While in committee, hon. members endeavored to limit the operation of the law to traders. That term was sufficient to indicate, in the Province of Quebec, the class to whom the Act would apply; but in Ontario that term had no legal meaning, and it became necessary to define those classes of business involving risk to which the Act would apply. Parliament was not without a precedent for that course. The British Parliament which in times past had enacted many Acts on the subject of insolvency, had at an early period defined the meaning of the word "trader," and in the Bill now before the House the English definition of that word was adopted with a view to render more easy the interpretation and construction of the law. The committee adopted this course for another reason, that, inasmuch as the existing Insolvency Law contained no definition of the word trader, questions had arisen in Ontario and other Provinces as to what was the precise limit of the meaning of that word. The hon. member for Oxford had admitted the claims of the farming community, but the business of a farmer was not one attended with risk. It was not essential to the proper carrying on of a farm that the farmer should deal upon credit, and if he did he ought to feel the obligation that, not only his present, but his future welfare and the comfort of his family, were involved in his paying his indebtedness. He should not incur a debt, looking forward to the chance, that if he should not be able to pay it, he would be whitewashed. With reference to the suggestion of the hon. member for Bothwell, he (Mr. MACLENNAN) would like to know how it was possible to justify the sweeping away of the means of a man's paying his debts, and yet not give him a discharge, provided he had acted honestly in his business. That was simply the position in which the proposition of the hon. member would leave the trader if it were adopted. He hoped the House would say that the clause of the Bill which had been passed in committee was one that should be adopted by the House. It drew the line where it ought to be drawn with reference to this legislation on the subject of insolvency.

Mr. BOWELL had proposed to criticize this clause, but the hon. member for Northumberland had dealt with the question already, and it would be much better

for the House to act upon the suggestion of the hon. member for Cardwell that the sense of the House should be tested as to the extent to which the principle of an Insolvency Law should be carried; then all this discussion would be avoided. If, on the contrary, the House would not carry the principle to the same extent to which it was carried in England, they could discuss the propriety of extending it to that class of people not included in the Bill. He proposed to move an amendment in that direction. It had been stated by some one in this discussion that the brick-makers mentioned in the Act were not those who worked in the yards, but those carried on the business of brick making; and yet a carpenter was allowed to take advantage of the Act. Now a carpenter was just as much a workman; he worked by the day for hire as did a brick-maker. Where there was one carpenter who rose to the position of a builder or contractor there were hundreds and hundreds who never took a contract.

Mr. YOUNG—And they were excluded.

Mr. BOWELL—Then what is the meaning of the word "carpenter?"

Hon. Mr. BLAKE—It means such carpenters as had not worked for hire.

Mr. BOWELL—Then the word "builder" would be the proper term.

Hon. Mr. BLAKE—There are many master-carpenters who are not builders.

Mr. BOWELL continued—Then again, a market-gardener, who had half or quarter of an acre of land in the vicinity of a city was allowed to take advantage of the Act. He might incur his debts in some other way and yet get whitewashed; while the farmer who cultivated hundreds of acres of land might sell all his grain to a miller, and after waiting for months for his money, the miller goes into insolvency, and the farmer loses all his means in consequence. Now this was unfair, and he therefore moved the following amendment to the amendment: "This Act shall apply to all traders and all co-partnerships and companies whether incorporated or not, except incorporated banks, insurances, railway and telegraph companies and debts incurred by breach of trust." He added these last words because he thought persons who had made away with monies intrusted to them should not be allowed to take advantage of this Act.

Mr. STEVENSON seconded the amendment.

Mr. MACDOUGALL (Elgin) said with regard to market-gardners, their position was not the same as that of farmers. They carried on trade and incurred risk, and for that reason this Act applied to them. With regard to whether it was desirable or not that this law should apply to all classes of the community, non-traders as well as traders, he would state that it was in existence in Canada from 1864 to 1869, during which period it was applicable to all classes of the community, and the feeling of the country, as expressed by Parliament, was that it was desirable that it should be restricted to certain classes. The experience of boards of trade—and he was not one who undervalued their opinion on commercial questions—was that it was not in the interest of this country that this Insolvency Law should apply to all classes. The non-trader who became responsible for the debts of the trader, did so voluntarily and should not be allowed to take advantage of this Act—otherwise in assisting his friend he would do so not at his own expense, but at the expense of the creditor.

Mr. YOUNG said no time need be taken up in discussing whether we should have an Insolvency Law or not. That had been passed upon by the House already in the affirmative, and all the boards of trade and commercial men in the country were almost unanimously in favor of an Insolvency Law. There could not be a shadow of doubt as to that fact, so far as the commercial community was concerned. He for one would consider it a great mistake to extend this law beyond those who were engaged in trade and risky enterprises of that character. What would be the effect of it? We would have every laborer who found himself in debt to his grocer, going into insolvency.

An Hon. MEMBER—And why not?

Mr. YOUNG—For the simple reason that it would greatly interfere with, and disturb the trade of the country. If this clause were extended to all the non-trading classes, there would be a hundred insolvency cases for ten at the present time? Non-traders might run a few debts, and, if pressed for payment, might go into insolvency. The effect of such a law would be that these classes would soon get no credit at all, and that under the circumstances, would be a great evil to many of them.

No trader would trust these persons if the law were in that condition. It would also seriously affect farmers in the back parts of the country. They were often placed in positions of hardship, and obliged to get credit. Many of our best farmers, in the early settlement of the country, had been placed in such a position, and would have been obliged to leave the country. if they had not been able to obtain credit. He was not surprised at the hon. memher for North Oxford and others who took his view of the question, wishing to have this clause extended to all classes, because they were opposed to us Insolvency Law altogether. They would like to destroy the Bill altogether, and they knew that if the amendment which they suggested, if adopted, would have a tendency to make the measure absurd. It would so worry and annoy the trade of the country that appeals would be made to this House at its next session to set aside the law. With regard to the amendment of the hon. member for Stanstead, if it would open the door to a large number of insolvencies, he (Mr. YOUNG) for one would certainly oppose it, but he thought it would be possible to so word the clause that non-traders who had been rendered insolvent by assisting those who had the benefit of the Act, might receive a certain measure of relief.

Mr. COLBY—It would act in that way precisely.

Mr. YOUNG would like to have the opinion also of other legal gentlemen in this House on that point. If. they held that it would have that effect, he would not oppose it. He had seen many cases of hardship which would come under the working of this proposed clause. He knew of farmers who had set up their sons in business, not only giving them capital but also endorsing for them. These persons after losing all their means, ruined their fathers also by their failure. Under the operation of the late law the sons were able to pass through the Insolvency Court, and commence business again ; but the father who had assisted the sons by his means and his credit, could get no such relief. The hon. member for South Bruce had remarked that the farmer need not lend money or endorse, while on the other hand the trader risked his capital. Well, did not the farmer who ventured his capital in a business conducted by his son, practically engage in that business and risk his capital. He thought there should be some provision made for the relief of such persons. He hoped the House would not be led away by the amendment of the hon. member for Hastings. The practical effect of that amendment would be to render the law absurd and destroy it. It would harrass and annoy the whole trade and business of the country, and create a state of things which he was sure his hon. friend would regret after he saw it in operation.

Mr. BOWELL—Why does it not have that effect in England.

Mr. YOUNG said there was a very different state of things in England to what existed here. In England farmers operated on a very large scale. It was not unusual for a farmer to have from $50,000 to $200,000 invested in the business in which he was engaged ; but it was very different in this country. He hoped the amendment to the amendment would be voted down, but he was of opinion that an exception might be made in favor of the amendment of the hon. member for Stanstead. It would give relief to many of our best citizens who are just as much entitled to it as many traders to whom the Act is intended to apply.

Right Hon. Sir JOHN MACDONALD said it was not only a waste of time to discuss the question as to whether there should be an Insolvency Law or not, but it was out of order, and he hoped the Chairman would use his authority to prevent such discussion. This committee must discuss, as it was sent to them. With regard to the amendment of the hon. member for Hastings he thought it was approached by him from a wrong point of view. It seemed to be the hon. gentleman's opinion it was in the interest of the non-trading class that they should have the advantage of this Act. He (Sir JOHN) thought it would be the greatest misfortune to the farming community if they were brought under this Act. It would not be optional with a farmer if he got into the strait mentioned to go into insolvency, but he could be forced into insolvency by his creditors, and it was not in his interest that this could be done whenever it pleased them. A farmer could only meet his engagements once a year when his crop was garnered and ready for sale. Under this amendment

the creditors could, in the spring of the year, force the farmer into insolvency and sell his farm and his green standing crops to meet his liabilities. From his (SIR JOHN'S) point of view it would be a misfortune to the farming community. He was not a farmer himself, and of course could only give his own view of the case, and if the hon. gentlemen who represented the farming community in this House thought differently, he (Sir JOHN) could have no objection to the amendment. The hon. member for West Elgin was correct in saying that the experience of the old Provinces of Canada was that the Act should not apply to all classes.

Mr. KIRPATRICK thought this Bill was in the interest of the creditor, in order that a debtor might not allow one creditor to get the whole assets of an estate in his own hand to the exclusion of all others. Moreover, the principle was admitted that the creditors should say whether a debtor should be placed in insolvency or not. Now he (Mr. KIRKPATRICK) did not see why creditors of non-traders should not say whether a debtor shall be placed in insolvency or not just as well as the creditors of a trader. As for the illustration of the right hon. member for Kingston he (Mr. KIRKPATRICK) thought he was not quite correct this time. The right hon. gentleman had given a melancholy instance of a farmer getting into difficulty and being driven into insolvency, while his crops were growing. Did not the right hon. gentleman know that under the present law one creditor could sue him and put the Sheriff upon him, without any chance of having a fair distribution of the assets, and sell out his farm before he could harvest his crop.

Mr. CURRIER said it was quite time, as the hon. member for Kingston had stated, that the harvest come but once a year; but there were other classes of the community for whom the harvest come but once a year. The same arguments applied to farmers could be applied to lumbermen and with more force, for it took the farmer only six months to get his return, while it took the lumberman six months to get out his timber or lumber, and three months to get it to market. His opinion was that if we were to have a bankruptcy law at all it should be applied to all classes in the community alike. There could be no reason why it should not apply in that way.

Mr. STEPHENSON said he thought one man was just as good as another man, and that a farmer had just as good a right to get a discharge as a trader. In his own section many a farmer had been ruined because he had endorsed for a tradesman, and the tradesman had got whitewashed through the Insolvency Law, but the farmer was left where he was. He thought the man who gave his name to enable another to get credit should, so long as both acted honestly and squarely, be treated in the same way—in case insolvency were necessary—and that both should be entitled to a discharge. As it was now, the farmer was not. He knew for instance in his county where a farmer with property worth $25,000 endorsed for a tradesman who failed, and the tradesman under the Insolvency Act got his clearance, but the farmer was left without any resource whatever. He could not see why a farmer should not be able to get his discharge just as well as a trader, so long as they acted honestly. He would, therefore, support the amendment to the amendment and if that did not carry, then the amendment to the original motion.

Mr. THOMPSON (Cariboo) said he thought if one man was to be included under this clause all should; any man, whether a farmer or not, should be dealt with in the same way as a trader. In looking over the clause enumerating the clauses to whom the Act should apply, he found a number left out who should be included. He had come to the same conclusion as the hon. member for Northumberland, who had pointed out that carpenters were included and blacksmiths left out. The shipwright was included; but the men who were doing other work required by the shipwright were omitted. Printers were secured, but the men for whom the printers worked—the newspaper proprietor and publisher—were left out. We had heard a great deal recently from the hon. member for West Middlesex about the debasing influence of drinking liquor, and we had a prohibitory liquor law advocated, and all the horrors of intemperance brought before us, but here we found tavern-keepers, the men who were supplying the liquor that caused the ruin of their constituents were included in the law. These men could purchase all they wanted from the farmers, put the money in their pockets, and take

the benefit of this Act. Why should they not give the honest, hard-working farmer the benefit. Many manufacturers and mechanics were ommitted and others were included; and he thought it was necessary to have the clause withdrawn. There were no precise reasons given why the line should be drawn where it was. In his own Province there was one class of men who contributed more largely to the wealth of the Province than any others—the miners—and they were not included. They invested in many cases thousands of dollars in mining enterprizes, and had to go on month after month and year after year, without realizing anything. In his own district there was a company who had worked two years and had expended from $25,000 to $30,000 in machinery and improvements before they had actually begun to search for the minerals. Yet those men were debarred rights that packers had—the men who packed their machinery—also under this Act could fail and swindle their creditors. He was in favor of the amendment of the hon. member for North Hastings for he saw no reason why one man should be debarred and another should have the right. He saw no ground whatever for the various distinctions that had been made; in fact he considered the whole Bill from beginning to end was a mixture of absurdities. The attention of the House had been drawn by the hon. member for Victoria to the fact that in British Columbia the English Law had been in operation some years, and had been found to work to general advantage and satisfaction. He would therefore move, if the hon. member for Victoria would second him, that British Columbia should be exempt from the operations of the Act. On a suggestion to divide before six o'clock, or adjourning.

Mr. MACKENZIE said it would be inconvenient to cut the discussion in two, and suggested a division. But there should be a careful discussion as it would be a great calamity if the amendment were carried as it would do immense harm to the country.

Mr. BUNSTER rose and was proceeding to speak on the question when six o'clock was called, and the House rose for recess.

AFTER RECESS.

The House in Committee renewed the consideration of the Insolvency Bill.

Mr. BUNSTER resumed the debate. He said he felt called upon in the interests of his constituents to discuss the important question now before the House. Last session he had endeavoured to obtain the insertion of a clause in the Insolvency Act for the benefit of the farmers of British Columbia; but as he failed on that occasion, he would discuss the general principle as to whether or not the farmers and mechanics of the Dominion should not be allowed the same protection which the Bill would offer to traders. It was mistaken policy on the part of the Government to exclude the classes to which he had referred; but it had doubtless been done unintentionally. It was an old-fashioned Bill, one which did not cover all the interests in a new country. It was well known that all our wealth arose from the products of the soil, and hence the farmers above all others were entitled to consideration and protection. But unfortunately for themselves they did not pay sufficient attention to their own interests, and lawyers, doctors and shopkeepers were returned in large numbers to Parliament. But while the farmers were blameable for not looking better after their own interests, that circumstance afforded no reason why Parliament should do them an injustice. He cordially supported the amendment moved by the hon. member for North Hastings, inasmuch as it laid down the principle that every man should be treated alike in legislation, so that the farmers would have the benefit of protection under the Act. It was unfair that the farmer should not be allowed to have the benefit of the Insolvency Laws, which traders enjoyed. Farmers often entrusted money to brokers to invest in securities, and if, through mismanagement the broker got into difficulties he could claim the protection of the Insolvency Law, while the farmer, whose money was squandered had not that advantage. The same argument also applied to bankers and some other persons mentioned in the Bill. He desired to see a more simple and at the same time a more comprehensive measure enacted, one which could be easily understood. The United States had set Canada an excellent example in that regard and passed laws which were easily interpreted and under-

stood, for there the farmers controlled the country and returned representatives of their own class to the Legislatures. All the legislation passed in Canada was against the interests of the farmers, and that explained the fact that the agricultural class were not so successful in the Dominion as in the adjoining Union. He desired to see no class legislation, but the Bill before the committee was of that character. Under the Bill a cow-keeper could claim protection, but a farmer could not; which was tantamount to say that a man who kept one class of cows could be an insolvent while a man who kept cows of another color could not. Again, if millers were to have the advantage of the Act, there was no reason why milliners should not be placed on the same footing. It was moreover most unfair to exclude miners from the Bill when they invested large capital to develop the mineral resources of the country.

Mr. BLAIN desired, as the question had been raised regarding the exclusion of the farmers from the Bill, to be allowed as the representative of a farming constituency to declare that it would be a great misfortune to the farmers if the Act should be extended to them. A perusal of the terms of the Act would show that it was intended to deal exclusively with traders whose circumstances and business were entirely different from those of farmers. If the farmers were included under the Bill, they might be made bankrupt at the most critical time of the year for a debt of $500, even though the farm might be worth $10,000. The representatives of agricultural constituencies had not carefully perused the Bill, otherwise they would have seen that it was drawn in the interests of the debtors. The intention of the Bill was to give the creditors the power of taking the control of a debtor's estate whenever he was unable to pay his debts, and instead of the measure being a benefit to the debtor it was the very reverse. He objected to the farmers being brought within the operation of the law, which was not in their interests. It was all very well to argue that, unless such were the case, farmers could not obtain a discharge from their indebtedness, but the effect of placing that class within the scope of the law would be to place them at the mercy of creditors. That proposition was directly opposed to the farmers' interests, and he hoped no representative of a agricultural constituency would support it.

Mr. WHITE (Hastings), as the representative of an agricultural constituency, believed four-fifths of the farmers did not desire an Insolvency Law; but if such a law was to be enacted they wished to have the benefit of it equally with the trader. Hon. members had argued against farmers endorsing notes. Wholesale city houses told a tailor, for example, that they were quite willing to give him credit if he could get some responsible person to endorse his notes, and perhaps a farmer made an endorsement. If the tailor became bankrupt, the farmer would be sold up, and left destitute, and under the proposed law he could not fyle a petition in insolvency and obtain the benefit of the Act, while the tailor secured its protection. It was a fallacious argument to say that farmers who endorsed paper, would, if they had the opportunity, take advantage of the Act in event of financial difficulties, and come out of court rich; and that, therefore, they should be excluded from the operation of the law. It was the duty of hon. members to see that the farmers received equal justice with the rest of the community, and should defend their rights. He hoped the amendment moved by the honorable member for North Hastings would be carried.

Mr. RYMAL said he had always held that class legislation was unjust. He could not see why, because one man gained his living in a different calling from another, they should not be each entitled to the same rights and privileges under the law. It was said by some that farmers had no occasion to become embarrassed—that they never should become indebted to any one. He did not know why, if a farmer did become embarrassed, they should not seek relief in the same way as other men. It was said by some that there was no risk in farming. If he had not been bred and lived all his life upon a farm, and if he did not know so intimately the nature and number of their risks, the ingenious way in which the arguments of some hon. gentlemen were worded might have made some impression upon him; but experience had taught him that there was really no calling in which any considerable number of people were engaged in which risks were heavier or losses more frequent. He had seen splen-

did crops of wheat completely destroyed by frost; he had seen the glorious prospects of June entirely blasted by the drought of July; he had seen the homestead and its contents razed to the very ground by fire; he had known the farm stock nearly all die from disease; and yet there were hon. gentlemen who said there were no risks connected with farming. Farmers, lumbermen, miners and fishermen—the men who drag the riches from the soil, from the forests, from the bowels of the earth, and from the depths of the sea—the men in whose hands lie the development of the great wealth-giving resources of the country—these were all excluded from the operations of the Bill before the committee. Why they should be debarred from participation in the results of legislation tending to relieve unfortunate men who got into embarrassed circumstances, he was fairly at a loss to see. He did not believe the farmers had any desire to be legislated for in that direction, but neither did they want to be legislated against, they simply wanted to be left alone. The day when we ceased to have an Insolvency Law, we should have less bankruptcy, and less speculation, and society would be altogether in a much sounder condition. He trusted the good sense of the House would frown down all attempts at class legislation, and if were the settled opinion of the majority in the House and of the masses in the country that we must have an Insolvency Law, at least let one and all alike have the benefit of its provisions.

Hon. Mr. HUNTINGTON said from the discussion which had taken place it would almost appear as, if insolvency were a boon. It would no doubt be well if we could go back to the original state of things when every man could pay twenty shillings in the pound, but unfortunately that was impossible. However, since every man was not able to pay twenty shillings in the pound, and since it appeared to be necessary that we should have an Insolvency Law, it did not appear to him that the same rules should necessarily be applied to every class. The nature and extent of the risks which were incurred in certain businesses created a necessity for an Insolvency Law. He had seen the day himself when he believed that it was merely necessary to make special provision for a great commercial crisis, and that crisis being tided over the further extension of the operation of the law was unnecessary. Whether he held that opinion still or not, it was unquestionable that it was not the opinion held by a large majority of the people. He was a representative of the farming classes, and he knew very well that the old law which prevailed in Quebec was anything but a public boon. He had seen farmers in his own county who could not pay their debts, and who, simply because they manufactured a little lime, had their effects handed over to the official assignees, got his property sold, and his prospects ruined. There was really no risk in the farming life to compare with that in commercial life. A calculation of those who were successful in commercial life, and those who were not, would satisfy anybody that this was the case. Ten per cent. of those who started in commercial pursuits were unsuccessful. Every commercial man understood that he had to run great risks, and as a result, wherever a creditor was known to have failed through misfortune, there was a brotherhood existing amongst men engaged in commerce, which dictated that they should deal with him liberally. If, however, the provisions of the Bill were extended to farmers, there would be no such bond to shield them, and those who supplied them would not be unlikely to deal with them in such a harsh and unscrupulous manner as would satisfy the country of the undoubted evils which an Insolvency Act, harshly administered, would bring, even to commercial men. It was argued again that it permitted men without capital, and with nothing to lose, to rush thoughtlessly into speculation with other people's money. If that were true of commercial men, how much more strongly would it apply to the agricultural classes, who closed up their operations every year without speculation, and without a chance of those contractions in the value of their property to which commercial men were open. His own experience amongst farmers was that the class who would be likely to go into insolvency were not the best, but the worst farmers. The question to be considered now was whether in the general operations of the farming community there was danger of wide-spread commercial disaster. Whether there was a direct danger as in commerce, or of such a contraction in the value of their property as would induce a large

percentage of them to desire to get relief. The general relations of farmers to their creditors were entirely different to those existing between commercial men and their creditors. If a farmer were subject to be put into the Bankruptcy Court whenever he found that he was unable to meet his liabilities promptly, he would frequently find himself embarrassed, and driven to insolvency, when such a course was not only unnecessary but unfair, because with a little time he would have been in a position to clear himself of his debts. He thought that instead of placing within the reach of farmers the expensive luxury of going into insolvency, or rather of putting them in a position to be driven into insolvency, when they did not desire it, it would be better to leave them alone. If he saw any disposition in this House to discriminate against the farming interest, he would be one of the first who would resent it. He believed, however, that it was especially in the interest of the farmers that a distinction should be made between different classes in regard to this particular law, for, if the opportunity were given them of turning bankrupt, as he had already said, the class of men who would take advantage of it would be those who did not deserve to have its advantages, if advantages they were. He believed that the difference between the position of commercial men and the position of agriculturists was so wide and so vast as to make it quite unnecessary that the same law with respect to bankruptcy should apply to them both.

Mr. SCATCHERD said from the tone of this discussion it almost appeared as if the Insolvency Law were a mere instrument to enable wholesale merchants to collect their debts from retail traders. It was proposed that if a man failed, and if there was nothing wrong connected with his failure, his creditors could decide if they chose that he should be placed in bankruptcy. Now, if there was nothing wrong or immoral in a merchant's failing and going into insolvency, there could be nothing immoral or wrong should the creditors of a farmer think it necessary that he too should go into the Insolvency Court. It appeared to him that members representing rural constituencies should seek to inquire what effect this Act would have upon those constituencies. It had been said that the creditors of the farmer would deal unfairly with him in regard to putting him into insolvency, but he did not think the farmer's creditor would deal any more unfairly than would the merchant in dealing with a trader. He would much rather that there were no Insolvency Law at all; and he did not believe that the people outside the towns and cities wanted an Insolvency Act, but if we were to have an Insolvency Law, it should treat all alike. Under this Act the trader could not go into insolvency of his own accord; but his creditors must decide whether it was fit and proper and in their interest that the man should go into insolvency. A previous speaker stated that farmers might be unnecessarily hurried into insolvency; but there were provisions to prevent a merchant being hurried into insolvency—such as if he could show his ability to pay twenty shillings in the pound—and this provision could be applied to the farmers. The truth was that the creditors of one man could if they saw fit put him into insolvency; but the creditors of another man should not put him into insolvency. This appeared to be class legislation. This Act was framed at the instance of merchants to help them to collect their debts; and it became the members of this House to consider how the provisions of this Act affected the people living in their constituencies, rather than the merchants in large cities who tendered their goods out on credit, and wanted this Act to help them in their collections.

Mr. COLBY said if this law was to stand precisely as it was now before the committee, he should hesitate a long time before he would consent to its application to the farming classes. He did not believe that the Bill as it was now drafted was fitted to apply to the agricultural classes, or to any other classes outside of those. However, he believed that with regard to other classes its stringent peculiar provisions might work a great deal of harm. But we were simply on the threshold of the Bill, and had the law to make. He believed it was quite competent for the House, and there ought to be wisdom enough in the House to devise a law that would work equally well for the trader and the non-trader. They had in the Province of Quebec a civil law, which in the absence of a Bankruptcy Law had worked equally for the trader and non-trader, had

given universal satisfaction, and which had all the features of the Bankruptcy Law, with the exception of the discharge of the debtor. He mentioned this to show that it was possible to construct a law that would have all the essential elements of an Insolvency Act, and that would work equally well for all classes to whom it might be applied. If they were at the last clauses of the Bill, he would not vote for the application of the Bill to the farming classes; but as they were at the first clause, and as he believed it was competent for the House to construct a law for universal application, he was inclined to support the amendment of the hon. member for Hastings. He believed that the dogma that had been thrown out with so much emphasis that the Bankruptcy Law must be extended to the trading community, because trading was extra hazardous, was fallacious. It might have had application in other places and in other times; but in these days and in this country there was hazard in all business. We were living in a time of speculation, when men not traders were investing their means and encountering hazards as well as traders. The hon. member for Wentworth had pointed out the ordinary hazards of farming, the risks to which his crops were exposed every year, and the legitimate uncertainties attending the occupation of agriculture; but there were other risks for a farmer; the father of a family desired to place his son in a prosperous business, or establish him in trade, and to effect that object endorsed his note, so that he was to all intents and purposes a trader, and might be fairly included in the operation of the Act. The father would not, and did not desire to divide the pecuniary profits with the son if the business prospered; but if the son failed the father would be brought down by the same calamity. The son, however, could be emancipated; but the father would remain with the incubus of debt upon him at an advanced age. We were every day incorporating enterprizes that invited the capital of farmers. We were incorporating local insurance companies all over the country, especially directed to the farming classes for investments; the farmer became a stockholder and paid his ten, or fifteen or twenty per cent. as might be, and if the company was brought down the investment was lost, and not only that but there was a large liability which might wipe him out if he met his liabilities in that direction, and he had no means of relief. He believed the Legislature should contrive a law of universal application, as he did not believe in class legislation, and did not thi nkit was necessary. He was not now going to suggest a mode by which an Insolvency Law of universal application could be devised, but it had occurred to him that it might be possible to frame a law based upon the idea that all liabilities not exceeding a certain amount, say $10,000 or $5,000, whether liabilities of a trader or non-trader, should be settled according to the ordinary Provincial laws for the collection of debts, but that al obligations exceeding that amount, whether of a trader or non-trader, should be brought under an Insolvency Act. He was not at that time prepared to frame a method, but he believed it was possible to devise an Insolvency Law that would give general satisfaction. There was no disguising the fact that any Insolvency Act we have had on the statute book since Confederation has not been satisfactory to the country. It was unsrtisfactory to the people to-day. That disapproval had been expressed every time the question was brought up in this House. Twice the Insolvency Act had been abolished by the vote of this House. The Act of 1869 had been an odious law to the mass of the people, though it might be an acceptable law to a certain class, and the Bill before the House was not so different from the law it was to supersede, that it would be popular where the other was unpopular Now, he believed it was possible to frame a law which would work satisfactorily to all classes of the community. This first clause should beframed in accordance with the amendment of the hon. member for Hastings, if that was possible.

M. MOUSSEAU dit que c'est avec la plus grande satisfaction qu'il a écouté l'hon. Premier Ministre, et les hons. députée de Kingston, South Bruce et Shefford, exprimer des vues saines et essentiellement conservatrices sur la loi de faillite discutée en ce moment en comité. S'il en avait le pouvoir, ce serait au nom du pays même qu'il les remercierait. Malheureusement il y a eu, d'un autre côté, des remarques absurdes et ridicules même; l'on a paru vouloir faire de cette question, une ques-

tion de caste, et l'on a parlé comme si le cultivateur devait être jaloux de partager les tristes avantages de la banqueroute, et c'est à ce point de vue honorifique qu'on a voulu convoquer au banquet de la faillite le maçon, le charpentier, le forgeron. Certes si le niveau des mœurs commerciales était sur ce point aussi élevé ici qu'en France et en Angleterre on n'oserait jamais émettre d'idées aussi immorales. Suivant lui, (M. MOUSSEAU), le certificat de décharge accordé aux faillis est un certificat qui classe les banqueroutiers en trois catégories : les malheureux, victimes des fluctuations financières ; les malhonnêtes et les maladroits ou les sots. Il espère que son collègue de North Hastings ne persistera pas à vouloir augmenter la classe des banqueroutiers, et s'il persiste, sa motion devrait être repoussée par la grande majorité de la Chambre, tant pour l'honneur de la Chambre que pour l'honneur du pays. J'avoue (continue M. MOUSSEAU) que la première clause de la mesure que nous avons devant nous, laisse beaucoup à désirer, et je regrette qu'on n'ait pas accepté en comité la suggestion du député de Jacques Cartier, qui voulait que comme en France, la loi dit simplement : Cette loi s'applique aux commerçants. Il est malheureux, M. le PRÉSIDENT, que dans certaines circonstances, on s'éprenne à outrance des idées anglaises, qui peuvent être bonnes là-bas, puisqu'elles s'appliquent à un état de choses souvent bien différent du nôtre, et c'est pour ne pas tenir compte de ce fait que l'hon. député de Cardwell s'est en quelque sorte écarté de la voie saine et droite qu'il suit généralement. Plusieurs catégories qui existent dans la loi anglaise n'existent pas ici, ou sont spécialement exceptées par la loi civile de la Province de Québec. Notre vieux droit français, notre code donnent aux non-commerçants, créanciers ou débiteurs, parfaite garantie et satisfaction. Il est basé sur un principe sage et chrétien. "Les biens "d'un insolvable sont le gage commun "des créanciers." Tout un système compliqué un peu mais clair, de procédés et de formalités a été greffé sur ce principe et sauvegarde les droits respectifs des créanciers et des débiteurs, tout en ôtant aux commerçants la facilité de s'endetter outremesure qu'offre aux commerçants toute loi de faillite, quelque sévère qu'elle soit. C'est sans doute parceque l'hon. député de Cardwell sait que la loi de faillite s'applique en Angleterre même à tous les non-commerçants, qu'il désire voir prévaloir la même règle dans notre pays. Mais en Angleterre les conditions sont bien différentes. Les fortunes colossales coudoient la misère extrême et si en Angleterre on a senti le besoin, tout récemment, d'étendre à quelques catégories de non-commerçants les lois de banqueroute, cela est dû à des circonstances exceptionnelles, extraordinaires et qui n'ont rien de commun avec notre état social. Ceux qui ont quelque peu étudié l'histoire de l'économie politique en Angleterre depuis quelques années sont convaincus de l'inopportunité de transplanter ici le système anglais. On sait qu'après le rappel des *Corn Laws*, on prodigua les capitaux aux agriculteurs pour activer et augmenter autant que possible la culture des grains. Des capitaux énormes furent ainsi mis en circulation. Ces capitaux venaient des grands fermiers, des grands capitalistes ruraux et un peu des villes. On les prodiguaient parce qu'il s'agissait d'améliorer le sol pour produire beaucoup et à bon marché, afin de faire compétition aux grains importés. Le mode était nouveau ; on dépassa le but et l'on s'endetta un peu. C'est pour venir au secours des gens comme ceux-là, qui faisaient en grand de l'agriculture commerciale, si l'on peut ainsi parler, et à d'autres classes de non-commerçants dans une position analogue, qu'on a jugé à propos en Angleterre de faire l'extension des lois de faillite, mais dans des conditions bien autres que celles de notre Bill. La situation dans nos campagnes est bien différente. Nos cultivateurs—et je parle de nos vrais cultivateurs—et non pas de ces prétendus cultivateurs qui font un commerce de prêter leur nom et de spéculer sur leur endossement—nos vrais cultivateurs, dis-je, ont un sens d'honneur et d'équité trop élevé pour désirer une telle législation ; et si cette brave population était consultée, sur les propositions faites par les député de Stanstead et de North Hastings pour la faire participer aux tristes avantages de la banqueroute, elle repousserait d'une voix unanime jusqu'à l'idée même d'être abaissée à la position de banqueroutiers. D'ailleurs la différence entre le cultivateur et l'homme d'affaires est énormes. Et l'homme d'affaires lui-même a moins besoin de secours dans ce pays que dans d'autres pays, et cependant ici l'homme d'affaires commerce et spécule

Mr. Mousseau.

plutôt avec son crédit qu'avec son capital. Ici le capital est souvent une chose factice; le commerçant est tout au plus le "fiduciaire," le "trustee" de ceux qui lui avancent des marchandises ou lui escomptent son papier. Aussi faut-il que la loi le surveille avec sévérité, et en vue de l'honnêteté et de la régularité du commerce, leurs fournisseurs devraient avoir le droit sous certaines circonstances, (quand, par exemple, de mauvaises rumeurs courent sur l'état des affaires du débiteur ou dans des temps de crise financière) de visiter les livres et de s'enquérir de l'état des affaires de leur débiteur, afin que ceux qui ont avancé puissent recouvrer. D'un autre côté, il est juste que la loi vienne au secours du commerçant que le malheur a réellement atteint, car le contrecoup des fluctuations financières sur les marchés de Londres, de Paris ou de Berlin se fait quelquefois sentir dans toutes les parties du monde et ruinent parfois en un moment les hommes d'affaires les plus honnêtes. C'est le résultat de la solidarité commerciale en quelque sorte imposée au monde par la vapeur et l'électricité appliqués à la transmission des nouvelles, et au transport et à l'échange des produits comme des idées. Je voterai donc contre les deux amendements maintenant devant le comité, pour deux raisons. D'abord, je suis en principe opposé à toute loi de banqueroute, parce que je considère que toute loi qui libère un homme de ses dettes, qu'il n'a payées qu'en partie ou pas du tout, est mauvaise et immorale. En second lieu, les représentants de la Province de Québec ne doivent pas oublier que le système de nos lois civiles détermine la condition de ceux qui sont commerçants et de ceux qui ne le sont pas. Nos lois pourvoient à la perception des dettes d'après un système qui est fondé sur l'anxiôme que les biens du débiteur sont la propriété de ses créanciers, et notre procédure donne au créancier le moyen de se pourvoir avant que les biens aient été dissipés comme je l'ai déjà dit. De plus, je considère qu'il serait inconstitutionnel de changer la condition du débiteur. La clause 91 de l'Acte Fédéral ne peut s'appliquer qu'à la banqueroute, qu'à la faillite commerciale et nullement à ce que nous appelons la déconfiture civile, l'insolvabilité de ceux qui ne sont pas commerçants; cette déconfiture est régie, dans la Province de Québec, par la coutume de Paris, notre code civil, et les lois en existence avant même la création du Conseil Supérieur de Québec. C'est pourquoi, le Parlement de Québec a jugé de sa compétence de passer deux lois, pour venir aux secours de deux sociétés de Montréal qui se prétendaient incapables de remplir leurs engagements envers les veuves et les orphelins. La constitutionalité de ces lois fut mise en doute, le Juge TORRANCE les déclara insconstitonnelles et donna droit aux veuves en disant que la position de ces sociétés les amenait à la condition des banqueroutiers et que cet attribut législatif n'appartenait qu'au Parlement Fédéral. La Cour d'Appel a confirmé ce jugement. Porté en Angleterre, le Conseil Privé a maintenu que ces questions étaient de la compétence des Parlements Locaux. Vous voyez, M. Président, que les députés de Québec ont de grands intérêts spéciaux à sauvegarder et qu'ils doivent être jaloux de la conservation intègre de leurs droits. Non-seulement je voterai contre les amendements du député de Stanstead et de North Hastings; mais je proposerai des amendements pour augmenter le nombre de ceux qui doivent plus particulièrement être retranchés de l'action de la loi de banqueroute.

Mr. WILKES rose to reply to the arguments of the hon. members for Stanstead and North Middlesex, who might be taken to represent a considerable class in this House who opposed an Insolvency Act. The hon. member for Stanstead had stated that he would not have offered an objection or proposed his amendment if the House were not discussing the first clause of the Bill. He had stated, moreover, that he was opposed to an Insolvency Bill *in toto*, and the House was allowed inferentially to conclude that the hon. gentleman, and the hon. member for North Middlesex who held the same opinion, being opposed to the Insolvency Bill were disposed to make it as nearly no Insolvency Bill as they possibly could. He (Mr. WILKES) had no doubt the tendency of the amendment would be in that direction. The hon. member for Stanstead had gone further and expressed the hope that after introducing in the first clause such a distinctive amendment as would emasculate the measure, to make such further changes of the subsequent clauses as would render it no Insolvency Bill at all. He (Mr. WILKES) would answer the objection to the exclusion of non-traders from

this Bill. The assets of traders were generally transient; the assets of the non-trading community were more permanent. There was a wide difference between the farm, buildings, stock and implements of a farmer and the stock of a merchant. The former could be enumerated, that could not be done so easily with the latter, which was of a perishable nature. Close the doors of a merchant's store for twelve months and the stock would deteriorate, and much of it would lose its value altogether. The value of a merchant's assets consistep in their being immediately made available, and consequently it was of the highest importance to the creditors not only that they should have access to the stock, but immediate access before it was made away with. Another very strong reason was this: the tendency of a man in insolvent circumstances was to live upon his assets, the profits of his business not being sufficient to keep him. With the farmer it was different. He could not consume his farm or implements, and his expenses were not large. Therefore, the difference between the two classes was that the assets of the merchant were perishable, while the assets of the farmer were imperishable, and the same conditions were not applicable to both. The farmer in embarrassed circumstances whose property was unincumbered, could resort to the borrowing power. He could ordinarily borrow money at eight per cent. per annum. Now, where could an embarrassed storekeeper go to borrow money on his property. The enumeration of his assets was almost impossible, for the moment he would undertake to sell any of it its character would be changed. It had been argued that the amendment was in the interest of the farming class. He was prepared to assert that there could be no scheme more detrimental to them than this. The argument of the right hon. member for Kingston was a good one, but he would not make use of that. He would merely point out that the borrowing power of the farmer would be very largely decreased. Where a farmer applied for a loan for a term of years, the leading condition upon which he obtained it was the unalterable nature of the security. The lender knew he would receive his interest regularly and that he had the right of foreclosure. What would be the effect if the farmer by endorsing for a friend or otherwise was driven into insolvency, after borrowing a sum of money? The lender would be obliged to value his assets, and take his money at a time when it might be inconvenient for him to have it returned. The effect would be to increase the uncertainty and thereby the price of money, and instead of a farmer being able to get money at 8 per cent. as at present it would cost him ten per cent. The experience in this country of the lenders of money upon farm property has been very satisfactory. They are not ordinarily compelled to foreclose their mortgages, the interest is ordinarily paid, but introduce this insolvency business and confidence in this class of security is shaken, and the price of money is raised to the farming community. He did not believe it would be urged in this House that the farmers asked for this change, and he certainly hardly thought it complimentary for hon. gentlemen to urge it, apparently as in their interest. The farming community were strongly independent and did not wish for this new mode of dealing with their estates. He considered that both of the amendments were strongly objectionable. Both of them included the farming class. It was of the highest importance that the non-trading community should regard their liabilities as debts of honor and it would be much better that occasional cases of hardship should occur either to creditors or debtors than that a wholesale system should be provided for, sweeping away the assets of those who were not engaged in trade. If the Minister of Justice would dispense with the alphabetical enumeration of occupations which was copied from the English Act, and use instead the general terms applied to the trading and non-trading classes it would meet with less opposition. Enumeration either included or excluded occupations. Those which were not mentioned were supposed to be excluded. A gentleman from British Columbia had raised the question why miners were not included. He (Mr. WILKES) had asked the same question in committee, and was assured they were included.

Mr. ROSS (Prince Edward) said he had moved on a former occasion when this question was before the House, to

strike out the word "traders" and succeeded in carrying his motion as he hoped a similar motion would be carried on this occasion. He would vote against both amendments. He wished to know why labourers were not included in this clause. Were lime-burners, and cow-keepers commercial men? Were wharfingers and cattle and sheep sellers traders? If they were, he did not know a class of people that kept more cows than the farmers. His opinion was that dishonest men took more advantage of this Act than of any other Acts passed by the Legislature of Canada for the last twenty years. The men who had the greatest benefit from it were the official assignees, and the lawyers came next. He knew one case where an estate of some six or seven thousand dollars went into the Insolvency Court. All the money that was realized was five or six hundred dollars. The assignee got one half, the lawyers got the other and the creditors did not get one dollar. He thought it would be wise for this House to throw the Bill out. He would vote against both amendments and against the Bill itself if he got a chance. It was in the interest of the wholesale merchants altogether.

Mr. FARROW said he happened to represent a farming community, and was a farmer himself, having been brought up to the business. He was surprised to hear the arguments made use of by the hon. member for Centre Toronto, and he could only say that they formed good proof that the hon. gentleman was unacquainted with farming. He (Mr. FARROW) supposed that no law would suit creditors generally, unless it guaranteed them twenty shillings in the pound, and the law that would let the debtor off most easily would be the only one which would suit that individual and the class to which he belongs. The question appeared to him to be, whether shall the farmers have the advantages of this Act (if advantages there are) or shall they not? Of all the arguments he had heard, probably that of the hon. gentleman from Toronto Centre was the strongest advanced. Much had been said about the risks of commercial men, and about as much to the effect that farmers had no risks at all. What risk, he desired to know, was it possible for the storekeeper to run that the farmer was not equally subject to? The storekeeper might be burned out, but so might the farmer; and it was the duty of each to provide against the contingency by insuring. Another risk to which they were equally liable was this. If the farmer and store keeper were both young men, and got married, they had each to take the risk of getting a fast wife, who might bring them down to bankruptcy. The farmer's wife was just as likely as the storekeeper's wife to be fond of driving a carriage with fine horses, of having expensive pianos, and all those things. In all earnestness, however, there was one risk to which the farmer was subject, as had been well noticed by an hon. member, to which no merchant was liable. Although his crops might look promising, one single night of June frost might leave him almost ruined—nothing left on his wheat-field but straw. It would have to be a very hard frost indeed that would destroy the calicoes, and the poplins, and the muslins, and the tea, sugar, &c,, in the shops. He did think, therefore, that the risks to be run by the farmers were as great, if not greater, than those of commercial men generally. He, however, had scarcely made up his mind yet which way he should vote. The hon. member for Centre Toronto talked of farmers owning 200 acres of land. He would remind the hon. member that there were thousands of farmers who did not own a foot of land. The hon. member for Shefford told the committee that only the poor and bad farmers would take advantage of the Insolvency Law. There was some truth in the statement, but it applied with equal force to commercial men. There were a great many farmers whose property was as unstable as the property of the merchant, for the reason that they did not own their farms, but simply rented them. That class of farmers was largely on the increase, but he was not very decided whether it would be wise to make the law so that it would include these men or not. He had no sympathy with the runners of wholesale and retail merchants who teased the life out of farmers, or with the representatives of wholesale houses whom it was impossible for a store-keeper to get rid of without insulting them. The same class of men, having agricultural machines for sale, pressed their goods upon farmers with such persistency as frequently to quite ruin them. If there was any benefit to

be derived from the operation of this law —and he presumed there must be some— why should not the farmer who came by misfortune, as well as the insolvent merchant, have through its operation the opportunity of retrieving himself. Some members described it as class legislation; he called it partial legislation. We found, for example, that an auctioneer could take advantage of it. Now, it so happened that farmers were frequently auctioneers, and in reality all that any farmer had to do was to pay five dollars for an auctioneer's license to be on a par with any trader so far as the Insolvent Act was concerned. When a farmer did not own the land, as was frequently the case, what was transient with the store-keeper was also transient with him. His implements, his horses, and his cattle were liable to destruction, and if he (Mr. FARROW) did not hear any stronger arguments advanced in favor of the clause as it stood than had yet been advanced, he would be compelled to vote for the amendment to the amendment.

Mr. KERR rose to address the committee, not as a representative of the commercial interest, not as a representative of the ancient and honorable profession of which he was an humble member; he rose to remind hon. members that they were just entering upon the discussion of a measure containing over 120 clauses, and as there were from 100 to 120 members who probably desired to have something to say upon it, he really thought it was very undesirable to protract this discussion. He rose also in the interest of the good listeners in the House. It was a good thing to be an instructive, fluent speaker, but the next best thing in his opinion was to be an appreciative listener. He claimed himself to be of the latter class. It was said that vengeance was sweet, and while he had no intention to indulge in anything like a threat, he would say that if hon. gentlemen persisted in moving amendments and making speeches at the rate they had done on this occasion, they need not be surprised if those who had hitherto listened patiently should convert themselves into speakers no matter whether they had anything good to say or not. They would certainly act upon the principle laid down by his countryman, the Irishman, when he said that one man was as good as another and a great deal better. He had not the honor of being upon the select committee to which this Bill was referred; if he had, no doubt his advise would have been so valuable, and his assistance so great that the necessity for this discussion would have been avoided; but he was strongly of opinion that the House ought to accept the Bill as it came from the hands of that committee. The subject had received from them an amount of attention and a dispassionate consideration which it would be impossible for it to receive in this House. He believed the Bill as it stood was a considerable improvement upon the existing law. He shared very largely in the views of those who looked upon the very idea of an Insolvency Law as odious, but there was nevertheless no denying that in this country, as well as in Great Britain, it was found a very necessity of the mutations of trade. It was the very offspring of trouble and troublous things, but unfortunately these times came but too frequently to the commercial man and the trader. He was not surprised that the Bill was creating dissatisfaction in some quarters; the mind that framed it was, like all things human, a fallable mind, and it was impossible, therefore, to expect a law that would please all. He repeated the hope that the committee would not protract the discussion, for it being once granted that such a law was a necessity, and the only question being whether it should be limited in its operations or extend to all classes. There was nothing that could possibly be said, either for or against, that had not been already said. For his own part, he failed to see that the extension of that law to the farmers would be productive of any good. He did not believe that as a class they either required or desired it. He knew that in the riding he represented they would regard it as somewhat of a reflection upon them were he to ask the extension of the benefits of the law—if benefits they were—to the farming community generally. He did not, on the other hand, share the views of hon. gentlemen who stated that the privilege would be abused. There was a time, before the Act was limited in its operation, when farmers could take the benefit of it, and he had in his own mind one or two instances where farmers took the benefit of the Act, and he knew that their neighbors in the community regretted these two gentlemen

were obliged to take such a step, considering that the Act had tarnished their hitherto untarnished names. They would never get this Bill passed at all if each hon. member expected to engraft his own peculiar views upon every clause of it. The number of improvements and changes suggested in the measure reminded him of what must have been a somewhat similar scene described by the poet—"It's with men's minds as with their watches—no two go just alike, yet each believes his own." He hoped hon. members would speak as little as possible upon this question, and accept the Bill as it was proposed by the hon. Minister of Justice. If every one tried to improve it, the result of their joint contributions would be that it would be like that something described by his hon. friend for Wentworth, as having nothing like it in the heavens or on the earth.

Mr. SCATCHERD said the hon. member for Centre Toronto had endeavored to answer the question why the farmers should not be entitled to the benefits of the Act. The reason he had given was that the property of the merchant was transient, and that of the farmer was fixed. But that was no answer at all, for the man who had a transient estate was discharged altogether, and the man who had a fixed estate could not be discharged. The answer was given in a way that showed the hon. gentleman considered he had met all the objections, but, although the hon. gentleman when he answered the question as he had done, he would find a great many would not be satisfied with an argument of that kind.

Mr. ORTON said it devolved upon every member of this House to give his most serious and anxious consideration to this measure. He thought from the various arguments advanced on both sides of the House, no good reason had been given why the Bill which affected such a large number of interests should not apply to every interest. He failed to see why one of the largest interests in the Dominion, namely, the farming interests, should not be included in a measure of this kind. He maintained that the arguments that had been advanced against farmers being included had utterly and entirely failed. The chief argument had been that their occupation had no risk in it, but he maintained there was no single occupation that was more risky than that of farming. In the North-West, whose agricultural capabilities were just being developed, and where the community was largely agricultural, crops were year after year destroyed by grasshoppers. We had found in our own country there were seasons when the wheat crop had been almost entirely destroyed by the midge; and in the Old Country the risk of the farmers' occupation had been shown in Ireland by the devastations of the potato rot, which had been felt throughout the whole country, and entirely ruined the people. If a farmer got into difficulties by the failure of his crops, why should these debts be kept hanging like a mill-stone around his neck, and he be unable to get relief. If the farmers were to be excluded there was no earthly use for the Insolvency Act at all. Why should not trade regulate itself? He believed there was too much meddlesome legislation in the country now-a-days, and if the matter was left to itself he thought they would find that trade would regulate itself. It was not incumbent upon the merchant to give credit unless he liked, and he did not see why the merchant and saloon-keeper should have a law to escape from responsibility when the farmers and other men engaged in a more industrious manner in earning a livelihood should be debarred from the same privileges. This Bill was evidently one to create a risky trade and uncertain business in this country. If the farmer should be careful and cautious, then every other man in business should show the same amount of care and prudence. Then, he did not see why laborers should be excluded. A man who, through sickness or any other mishap, got into debt, and this debt was hanging over him, preventing him from rising into any position in life, should have the same means of getting free from them. He might have been an industrious, struggling man, working for years and years, and misfortune and sickness might have overtrken him, and involved him in difficulties. Why should he have no means of escape? When he looked into the large list of classes included in the Bill, he thought no reasonable man should go for the amendment, and endorse the principle of the Bill, if it excluded laborers. There was another matter to which he might refer. When they looked at the decided

feeling in reference to this Bill, they would find, except in cities and towns, especially amongst laborers, that the very general opinion was opposed to the Insolvency Law. There was very good reason why the legal fraternity should be so strongly in favor of the Insolvency Act, for it caused any amount of litigation. With those remarks he would vote to have all classes included in the Bill.

L'hon. M. FOURNIER :—Avant que ce débat ne se termine sur l'amendement par lequel le député de North Hastings veut étendre cette loi de banqueroute à tous les non-commerçants, je dois exprimer ma suprise d'avoir vu autant d'honorables membres se prononcer en faveur de cet amendement, quand il est notoire qu'un grand nombre de ces hons. membres ont antérieurement, dans deux sessions consécutives, voté contre toute loi de banqueroute. Je ne puis faire autrement que d'attribuer à un moment d'oubli la position si illogique, si incompréhensible du député de Stanstead. Et quel est le funeste présent que l'on veut faire aux cultivateurs du Bas-Canada ? Je ne suis pas moi-même en principe favorable aux lois de faillite. Mais puisque les nations les plus avancées dans la législation,—et je cite la France, l'Angleterre, et autres nations plus civilisées,—ont cru devoir donner leur sanction aux principes généraux de lois de faillite en introduisant de telles lois dans leur législation, nous sommes obligés de suivre le courant qui entraîne le législateur dans ces voies nouvelles. Mais pour nous garantir autant que possible des mauvaises conséquences, la loi que présente le Gouvernement rend extrêmement difficile l'obtention d'une décharge. Il n'y a plus de cession voluntaire. Un commerçant ne peut plus se mettre lui-même en faillitte ; ses créanciers seuls peuvent prendre l'initiative et doivent représenter un montant de créances d'au moins $500, ou de $200 s'ils ont des raisons suffisantes pour agir par la voie de saisie d'arrêt, et le délai accordé au débiteur dans les deux cas pour discuter la demande n'est que de cinq jours, ce qui équivaut à une obligation de payer immédiatement toutes les dettes. Or, je le demande, quel est le député dans cette Chambre, qui voudrait que tous les constituants de chacun de nous, dans tous les comtés du Canada que nous représentons, fussent exposés à ce qu'un seul de leurs créanciers ait le droit, après un simple avis de cinq jours, de faire saisir tous leurs biens et de les mettre en banqueroute. Une pareille disposition ne pourrait être agréable aux cultivateurs. Elle aurait pour eux l'effet le plus préjudiciable et le plus désastreux, et c'est en leur nom et au noms des plus grands intérêts de la population agricole que je proteste contre une pareille proposition. Je crois que l'on ne pourra entretenir plus longtemps cette proposition, si l'on veut se donner la peine de référer aux clauses concernant la décharge et la rigueur des procédés qui peuvent la faire obtenir. Je ne vois rien dans la loi qui puisse s'appliquer aux cultivateurs. La loi a été faite pour réprimer la fraude. Elle rend très difficile l'obtention des certificats de décharge et impose aux débiteurs la nécessité de consulter leurs créanciers. Je n'ai pris la parole que pour protester contre l'assimilation que l'on veut faire de la condition du cultivateur et celle du commerçant. J'ajouterai cependant un mot au sujet de la clause définissant le commerçant. Cette clause est littéralement extraite du statut anglais et est d'application plus facile dans les Provinces Anglaises. Où le mot *trader* n'a pas la signification précise qu'a le mot *commercant* dans la loi française. Dans la pratique les juges et les avocats du pays ont sans cesse recours aux précédents anglais; en adoptant autant que possible lr texte du Statut anglais, on évite les écarts de jurisprudence qui résultent de lois différentes sur un sujet commun à tout l'empire. L'hon. député de Stanstead a proposé un autre amendement, qui donnerait le privilége de faire faillite aux cultivateurs qui, ayant fait des avances d'argent ou de crédit, subissent des pertes qui les réduisent à l'insolvabilité. Eh bien ! je le déclare hautement : je préférerais que la loi ouvrirait la porte de la faillite à tous les non-commerçants indistinctement, plutôt que de laisser ainsi entrer par une voie détournée dans le système de la faillite, une certaine classe de prétendus commerçants, qui pourraient se grossir de tous ceux que l'on prétend laisser exclus. Ce serait offrir à tout cultivateur la tentation de se mettre en faillite par la collusion et la fraude, en endossant des billets promissoires ou en s'en faisant signer par des personnes insolvables, ou en se faisant commerçant pour le quart d'heure. C'est ainsi que nous arriverions indirectement aux inconvénients incroyables et désas-

treux de l'amendement du député de North Hastings. Je crois donc de mon devoir de prévenir la Chambre des périls que présentent ces propositions subversives de nos lois civiles sur la question d'insolvabilité, et j'ai le ferme espoir qu'on ne se laissera pas entraîner à commettre un pareil écart.

Hon. Mr. MACKENZIE said that if any hon. member have a right to consult farmers' interest it was himself, because he represented more farmers than any other honorable member in the House. Hon. members had spoken of the rights of farmers, and they actually seemed to assume that it was a great privilege to be placed in a Bankruptcy Court. They pleaded that farmers might be allowed to be made bankrupt whether they were willing or not; they actually prayed that the injustice might not be done to farmers, to take it out of the power of money-lenders to make them bankrupt when they pleased. He never heard a more absurd argument addressed to an intelligent assembly. What farmer wished to be made a bankrupt? No one could be made bankrupt under the law except by his creditors. If the principle of voluntary assignments was embodied in the Bill, there might be some show of reason for admitting all classes within its operation; but the Bill proposed to abolish voluntary assignments and that with the almost universal assent of the community. That was the principle of the Bill; and yet hon. members pleaded for farmers—though the farmers would not thank them for their pleadings—that they might be placed in a position to be forced into bankruptcy by a money-lender if they were in arrears with the payment of interest. That was not what the farmers of North Hastings or any other constituency wanted—no intelligent farmer could want to be placed in such a position. It was one of the most extraordinary proceedings he had witnessed, that representatives of farmers should plead that farmers might be placed in a position of great danger to themselves, for that was really what the argument amounted to. As to the other proposition his hon. friend the Minister of Justice had explained that he had strictly copied the English law in order to make definite what was indefinite; and avoid difficulties and conflicts in the decision of the courts. He would not say another word on the subject, beyond stating that he would be astonished if many farmers' representatives gave a vote to-night that would have the effect of placing the farmers under the thumb-screw of money-lenders and country storekeepers.

Mr. PLUMB inquired whether there was any means by which the large class of the community who were excluded from the operation of the Act, could obtain a discharge from their creditors after having surrendered all their property to creditors.

Hon. Mr. FOURNIER said there was no method of doing so, provided the persons did not come within the scope of the Act.

Mr. PLUMB said that such being the fact, a large class of the community must suffer because of defects in the law. It was desirable to extend the operation of the law to all classes.

Hon. Mr. MITCHELL desired to show the fallacy of the hon. First Minister's arguments. The hon. gentleman had stated that the object which the members of the Opposition had in view in opposing the first clause of the Bill was to obtain for farmers the privilege of being forced into bankruptcy; and he asserted that the farmers would not thank those hon. gentlemen for giving their creditors the opportunity of forcing them into bankruptcy. But that was not the question before the House. The question of considering the desirability of placing an Insolvency Law on the statute book was, whether the law should apply to certain classes of the community, or all citizens. If it was a privilege to be able to take advantage of that law, then it should be enjoyed by all. If it was a grievance, or its possession involved responsibilities then all should be liable to them, and the manufacturers, merchants and traders should not have a privilege that the farmers and non-trading classes did not enjoy. And when the hon. Premier asked whether the farmers of North Hastings or any other constituency would thank the mover of the amendment for asking that they should enjoy that privilege, he (Mr. MITCHELL) on behalf of the farmers of his county, replied that all they asked was to have the same privileges and responsibilities as belonged to other classes of the community, which should in justice be accorded to them. The

explanations of the hon. Premier in regard to the first clause were eminently unsatisfactory. The truth was that the Government had taken this section from an old, exploded English Act, which had been repeated, and they sought to embody it in the legislation of this country, to which it was not suited. He believed the country wanted an Insolvency Bill, but the farmers, lumbermen and fishermen, who constituted four-fifths of his constituency, should not be excluded from its provisions. The hardship which would be entailed on those classes by their being excluded from the benefits of the law, could be easily illustrated. A lumberman might sell lumber to the value of $3,000 or $4,000 to a merchant, who perhaps shortly afterwards failed. The merchant went into insolvency, paid five shillings in the pound, and got rid of his responsibility, but the lumberman, who held the merchant's bill, could not take advantage of the Insolvency Law, and had to pay his debts in full. The same argument applied to farmers and fishermen. He could not believe that the House would act so unjustly towards certain portions of the people by passing class legislation of the character proposed.

Hon. Mr. TUPPER said it was evident that Parliament was in favor of an Insolvency Act of some kind. While every Bill that came before Parliament should be discussed in the fullest and freest manner, and while no examination of a question outside of this House could remove it from the consideration of Parliament, he believed if ever there was a measure laid on the table of this House which had been carefully considered by the Government and perfected by every means in their power, it was this Bill before the House. He confessed when he found the amendment of the hon. member for Hastings, heartily endorsed by the hon. members for Stanstead, North Middlesex, Wentworth and Northumberland, who were avowed opponents of an Insolvency Law at all, he (Mr. TUPPER) was forced to the conclusion that the measure to which he attached importance was in danger, and he would heartily support the measure before the House.

Hon. Mr. HOLTON said he held in his hands a copy of the Statutes of 1869. The hon. member for Northumberland was then a member of the Government who were responsible for the introduction and passage of chap. 16 of the statutes of that year. The first clause of that Act read thus:—This Act shall apply to traders only.

Hon. Mr. MITCHELL was obliged for this opportunity of defining his position in this House. While he was a member of the Government he was bound to accept the decision of a majority of the Cabinet, but it happened that the Bill of that year was not a Government measure. If it had been, however, and the Government had chosen to introduce it against his views while he was in the minority, he would, nevertheless, be responsible as a member of the Administration for the measure. Now, however, as an independent member of this House, he had a right to express his individual opinion as such. He would refer to the votes and proceedings of 1869 to show the inconsistency of the hon. member for Chateauguay. On a motion to re-commit the Bill to Committee of the Whole to provide that "this Act shall "apply to all persons whether traders or "non-traders, except that in the case of "non-traders there shall be no voluntary "assignment under this Act." In the list of the affirmatives he found the name of the hon. member for Chateauguay.

Mr. BOWELL said he had no objection, whenever the Premier had sufficient time on his hands, to visit North Hastings, to discuss this question among the intelligent farmers of that constituency. No remarks had fallen from him (Mr. BOWELL) in reference to any particular class of the community. He had simply laid down the broad principle that if an Insolvent Law was requisite at all to this country, all countries were entitled to its advantages or disadvantages, as any other class.

Hon. Mr. MITCHELL referred to the Journals of 1871 to show that the hon. member for Chateauguay had during the session of that year voted in favor of the principle of voluntary assignment.

The vote was taken on the amendment to the amendment, which was lost on the following vote :— Yeas, 36 ; nays, 67.

The amendment was lost on a division.

Mr. THOMPSON (Cariboo) suggested that the word "miners" be inserted on the 16th line.

Mr. CURRIER suggested that this clause should be so framed as to leave no

doubt that those engaged in the lumber trade should be included.

Hon. Mr. FOURNIER said it was so clear they were included that he was surprised that the question should be raised.

Mr. BUNSTER suggested that the words "farmer and graziers" be inserted in the 14th line, and struck out of the 28th line.

The first clause was carried, and the committee rose and reported progress.

The House adjourned at 11.15 p. m.

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HOUSE OF COMMONS,

Monday, March 22nd, 1875.

The SPEAKER took the chair at three o'clock.

BILLS INTRODUCED.

The following Bills were introduced and read a first time :—

Hon. Mr. SMITH—Bill respecting the Trinity House and Harbor Commissioners of Quebec. Also—To amend Act 36 Vic., Cap. 9, and 37 Vic., Cap. 4, respecting the appointment of Harbor Masters. Also—Bill respecting certificates of masters of inland and coasting ships.

Hon. Mr. FOURNIER—To remove certain difficulties in the administration of Criminal Law.

A QUESTION OF PRIVILEGE.

Hon. Mr. BLAKE desired to say a word to the House with reference to the question of privilege which he had raised the other day respecting the petition concerning the Victoria election. On that occasion he fancied he saw his hon. friend from Victoria present, otherwise he would not have brought up the matter. It had since been intimated to him (Mr. BLAKE) that the hon. gentleman was absent when the question was previously brought up, and he wished to make this explanation because the hon. gentleman had informed him he desired to refer to the matter in the House. He (Mr. BLAKE) hoped the House would give him an opportunity of bringing up the subject again.

Mr. CAMPBELL said the object of that petition could be only this—to leave a false impression on the mind of the House. This Parliament he held was not in a position to deal with the matter. It was not in a position to disprove the allegations it contained. These allegations against the Sheriff, for instance, were false, and that gentleman could not come here and defend himself. The petitioners said the Returning Officer had only returned from Texas in October. That was true. But they did not say when he went to Texas. This omission would lead to the supposition that the Returning Officer was a penniless stranger. That gentleman left his native county in September last, and returned in October; and that was the length of time he was in Texas. This fact alone would show how little dependence could be placed in the statements of the petitioners. They went further, they said he (the Returning Officer) was his (Mr. CAMPBELL's) brother-in-law. So he was, but the Sheriff happened to be his brother-in-law too. There was another charge, namely, that the Returning Officer did not own a dollar's worth of property in Victoria. This statement was made in the form of a petition, he supposed because in any other shape such a statement would afford good ground for a libel suit. These petitioners could come here, and slander a man behind his back, when he had no opportunity of defending himself, when it would not be safe to do it anywhere else. The statement was a gross slander. The Returning Officer had held a respectable position in the county, and had also a large stake in it. The other statements in this petition were of the same nature, and he did not see why it should be brought here at all. If there were charges of this kind to be made they should be taken before the court which would in a few days try the case. He thought the hon. member for South Bruce was the last man in the world that should come and attack him in this way.

The Orders of the Day were then called.

PRIVATE AND LOCAL BILLS.

On motion of Mr. JETTE the House went into committee on the Bill to incorporate the Royal Mutual Life Assurance Company of Canada—Mr. OLIVER in the chair.

Mr. WOOD called attention to the fact that this was not a "Mutual" but a "Stock" company, and the word "Mutual" should be struck out of the Bill wherever it occurred. A mutual company was one in which all the policy-

holders were stock-holders, and this company had a stock of $500,000. Under this title it would act under an assumed name which was wrong.

Mr. YOUNG said that point had been taken up by the Committee on Banking and Commerce, and the general opinion was the word ought to stand. After it had been discussed there the matter ought to be allowed to stand where the committee left it. The fact was a great many of these companies did a "Mutual" business though they were "Stock" companies, the policy-holders having an interest in the profits as well as the stockholders.

Mr. WOOD said he had taken objection to this in committee, but was told by the Chairman that the House was the proper place to bring it up.

Mr. JETTE said it was time that the company would have a certain amount of stock, but it was also true that the policy-holders would be share-holders in the company. They would be entitled to the right of voting at the meetings of the company. They would be entitled to be elected Directors, and to share the profits, so that really he believed the word "Mutual" was not taken under false pretences.

The Bill was reported without amendment and read a third time.

On the motion that the Bill be now passed,

Mr. WOOD moved "that the word 'Mutual' be struck out of the title wherever it occurred."

The motion was lost and the Bill passed.

On motion of Mr. DESJARDINS the House went into Committee of the Whole on the Bill to incorporate the National Insurance Company (as amended by Standing Committee on Banking and Commerce).—Mr. MOUSSEAU.

The Bill was reported, read a third time and passed.

On motion of Mr. Moss the House went into Committee of the Whole on the Bill to amend the Acts of Incorporation of the Great Western Railway Company, (as amended by Standing Committee on Railways, Canals and Telegraph Lines.—Mr. IRVING.

The Bill was reported, read a third time and passed.

On motion of Mr. MACLENNAN the House went into Committee of the Whole on the Bill to incorporate "The Canadian Steam-Users' Association," (as amended by Standing Committee on Banking and Commerce) —Mr. BIGGAR.

The Bill was reported, read a third time and passed.

On motion of Mr. JETTE the Bill to change the name of the "Mutual Insurance Company of Canada" to "The Dominion Life Assurance Company," and to amend the Act of Incorporation thereof, was read a second time and referred to the Standing Committee on Banking and Commerce.

On motion of Mr. CARON, the Bill to change the corporate name of the St. Lawrence Navigation Company (Steam), and to confer on it certain powers was read a second time and referred to the Standing Committee on Banking and Commerce.

BILL FROM THE SENATE.

Hon. Mr. MACKENZIE moved the first reading of the Bill to regulate the construction and maintenance of Marine Electric Telegraphs (from the Senate). —Carried.

STEAM COMMUNICATION WITH PRINCE EDWARD ISLAND.

Mr. PERRY asked whether it is the intention of the Government to keep up, during the winter season, steam communication between the Province of Prince Edward Island and Nova Scotia or New Brunswick, in accordance with the terms of the Union of Prince Edward Island with the Dominion of Canada.

Hon. Mr. MACKENZIE—It is the intention to do so if it is found at all possible. Every effort will be made to accomplish it.

GAS IN THE HOUSE OF COMMONS.

Mr. CHARLTON asked whether the Government will take into consideration the defective arrangement for lighting the gas in the House of Commons, and consider the propriety of providing an electrical apparatus for the simultaneous lighting of all the gas-burners in the Chamber, thereby preventing the unwholesome stench that now poisons the air of the Chamber when the gas is lighted.

Hon. Mr. MACKENZIE thanked his hon. friend for the suggestion. As the chief architect of the House had been very ill he was hardly able to answer the question, but the suggestion of his hon. friend would be attended to.

STEAM DREDGE.

Mr. McDONALD (Cape Breton) asked whether in view of the large amount of shipping frequenting Lingan Harbor, Cape Breton, for coals, and fishing vessels taking refuge in it from easterly storms, the Government would send the Government steam dredge to deepen the bar at the entrance, or send an Engineer to examine and report on it.

Hon. Mr. MACKENZIE—I believe the hon. gentleman's colleague has already had an official answer from the department stating that this will be attended to as soon as possible, but I cannot specify any particular time.

DREDGING THE ST. CROIX.

Mr. GILLMOR asked whether in the event of the Government of the United States granting an appropriation of $24,000 for dredging and deepening the River St. Croix, the Government of the Dominion will grant a similar sum for the same purpose.

Hon. Mr. MACKENZIE—The Government have for the last two years put some $24,000 or $25,000 in the estimates for dredging the St. Croix River, but according to the report of the Engineer of the United States department in that State, it would require an appropriation of something over $100,000. Our appropriation was to he met with an equal appropriation from the States for the purpose; but I did not feel justified in proceeding with the work unless they were prepared to do the same thing, as the cost was entirely disproportionate to the benefits to be derived. If the United States, however, will make an appropriation to obtain a certain depth of water, such as can be accomplished at a moderate cost, I will be prepared to ask a vote for the purpose at any time the United States will comply with the provision mentioned.

THE VETERANS OF 1812.

Mr. BROUSE asked whether the Government has decided to divide the $50,000 granted for pensions to the veterans of 1812, irrespective of the number who may be entitled to participate in such grant; and if not, do they propose to offer a fixed sum to each without regard to the rank he may have occupied in the service; and may not the successful applicants hope that they may receive an uniform pension of $100?

Hon. Mr. VAIL—It is quite impossible for the Government to give an answer to that question at the present time We must wait until we see the number of men who make application.

THE RECIPROCITY NEGOTIATIONS.

Mr. PLUMB moved "an address for correspondence in relation to negotiations for a treaty of Commercial Reciprocity with the United States." He said that during the recent discussion they had with regard to measures of reciprocity with the United States, the basis upon which all those negotiations were carried on was evidently too wide. The consequence was that complications arose that resulted in the defeat of the treaty, the draft of which has been published. Those who were generally supposed to have favored the adoption of the treaty on this side, had not taken a very fair part in the discussion; but it seemed to be very desirable that every expression of opinion might be made with regard to the great questions involved in that treaty, because it was very evident that negotiations were considered to be at an end. It would be remembered that shortly after the House opened, the First Minister in reply to some remarks of the leader of the Opposition stated "that he intended to bring down the papers with regard to the matter, and that the draft treaty would be laid before the House, but the sanction of the Government as well as the Senate of the United States, would be required to the treaty." He (Mr. PLUMB) thought the sanction of the Government of the United States was never given, and that the proposition that had been made was binding upon one side only, and there was not the slightest indication given by the Government of the United States that it was binding upon their side. He thought this was a peculiarly hard feature of the case, but the Premier had stated that he was satisfied when the treaty would come up it would bear favorable comparison with some other treaties that had been made. He trusted that there would be a full and thorough discussion of this question. Last year, when the House opened, they were told that owing to the reckless prodigality of the late Government, in undertaking large works, it was necessary to increase the taxation on the country, and it was further held that the building of the Pacific Railway was a project which

the resources of the country could not meet. In order to provide for the expenditures to which the country was already committed, it was deemed necessary to impose further taxes. That view was opposed by the Opposition, but a measure was brought with such haste into the House that no time was taken to consult the great interests of the country before it was submitted to Parliament. That measure, in a modified form, passed. At the same time that the Government were adding to the burdens of the people, one of the leaders of the Ministerial party was in Washington, offering terms to the United States Government which involved an immense diminution of the revenue of this country. The negotiator was offering free trade upon a large scale with the United States, taking in some of the principal articles of domestic manufacture, and, at the same time, including, as it was necessary to include, free trade with Great Britain in these same articles. In addition to that, in the draft treaty, it was proposed that the Dominion should give up an important claim—a very large claim if we take the estimate of the negotiator—in connection with the Treaty of Washington. There was also an agreement to construct large public works, to some of which it was true, we were committed, but it included new ones. A very short period was fixed for their completion, thus involving a very large expenditure, within a short period. There was also a very large outlay provided for in the construction of works for which there was no pressing necessity, and which were in the hands of private companies, while there was no corresponding work to be undertaken on the other side for our benefit. All these works involved such an increase of expenditure, and so large a diminution of the revenue that it would seem, if the theory upon which fresh taxes were imposed was correct, any additional revenue could only be provided by direct taxation. It was not at all strange that those negotiations were carried on with the idea of direct taxation. It was no new idea with the negotiator of the draft treaty. While on the one hand one portion of the party in power were raising fresh taxes, it was proposed, on the other hand, by one stroke of the pen to reduce the revenue so far as to make it necessary to resort to direct taxation. On one occasion Mr. BROWN remarked :—"The farther free "trade is carried by Canada the more she "will prosper. If we could abolish the "tariff altogether, and pay the expendi- "ture by direct taxation, we should do "more for the prosperity of Canada than "all that was ever dreamed of by Pro- "tectionists." Mr. BROWN'S views were strengthened by those of another gentleman who though not a member of the Government, was a prominent supporter of theirs, and whose order in this House seemed to be Parliament's first law. He referred to the hon. member for Chateauguay, who, not long ago remarked :— "It is the imperative and solemn duty of "the House to adopt measures to increase "our annual revenue by at least three mil- "lions. Our population ought to be famil- "iarized with direct taxation. It would, be "from all points of view, a blessed reform if "a number of considerable items were paid "by the local or municipal funds." Who knows where direct taxation would fall. The most likely mode of collecting it would be from property, and there is no scale of taxation which falls equally upon land. The larger properties as a rule pay the smaller sums, and it would principally fall upon the farmers. It would not fall upon the man who has bonds and debentures locked up in his chest, but upon the farmer. Although this treaty was, he considered, a direct bid for the farming interests, the fact that the final result of it would be direct taxation, would take away every possible contingent profit and advantage that the agricultural interest might derive from it. While war prices ruled in the United States, great advantages resulted from reciprocity, but of late years prices had fallen, and western farmers could now compete successfully with ours. This changed the whole aspect of the case. He did not pretend to say that there was not a feeling in the country in favor of a renewal of the treaty, and so far as the exchange of natural products was concerned he had always advocated it, but there was another interest to be consulted—the manufacturing interest. Manufacturers were looking with the gravest anxiety for the discussion upon these resolutions. Since he had the honor to address the House on this subject on a former occasion, he had been in Western Ontario, and the universal expression which

he met there was a hope that this question would be taken up, that while this House had been discussing theoretical questions, the most important practical question had been left till almost the end of the session. There was a deep interest felt in this matter, and he hoped it would be taken up and discussed, not in a party spirit, but in the interests of the public and of those interests which were standing shivering, suffering and waiting for some decision to be arrived at with regard to this question. The whole trade of the country had been paralyzed by the vicious meddling with those interests. We were prosperous enough and doing well enough until the nice adjustments of trade were interfered with and thrown out of balance. While it was possible that we could compete with the manufacturers of the United States, it was certain we could not with those of Great Britain, and we would be crushed between the upper and nether mill-stone if this treaty were ratified. It was this fact which alarmed the manufacturing interests of the country. The whole session of Parliament had passed without any discussion on the treaty, with the exception of some discussion in the Senate, which scarcely touched the points at issue, and there had been no statement as to the course which the Government proposed to take—whether they intended to renew the negotiations through the hon. gentleman who had so signally failed, or to appoint other commissioners, or to drop the subject altogether. He could inform the Government—and he knew something of American politics — that they never could negotiate a treaty with the United States so long as the Republican party was in power, but they might be able to do so in a year or two when another party with different ideas as to free trade would come into power and assume the reins of Government. It was short-sighted policy for the Canadian Government to go to Washington, when the ultra, free trade party was in power, and attempt to negotiate a treaty. If the treaty had been ratified, he failed to understand any theory why Canada should be bound for twenty-one years to the terms of the treaty without the power of changing it, when the country was rapidly growing, and with a Pacific Railway to build.

Mr. CHARLTON said the discussion on the reciprocity question in Canada had been principally confined to the enemies of the proposed treaty, and any remarks that he might make in regard to it he desired to be regarded as simply a statement of his own views. It was well, he thought, that the Government had abstained from the discussion of this question while the treaty was pending in the United States Senate, as our case might have been prejudiced had they appeared before the Canadian public as vindicators of the treaty, and place before it the benefits that Canada would derive from its adoption. He held, however, that the time had arrived when reticence was no longer necessary, and in his remarks he would present no advantages that Canada would derive from this treaty that had not been urged by the United States as objections from their standpoint to the treaty. The hon. member for Niagara told the House, and with reference to the negotiations that the Government of Canada had bound itself to the provisions of the proposed treaty, while the Government of the United States was at liberty to reject them. He could not understand that such was the case. The Secretary of State, the President of the United States, the British Minister at Washington, and the Hon. GEORGE BROWN acting in their respective capacities for the United States, Great Britain, and Canada negotiated the treaty and it was rejected by the Senate. But had it been ratified by the Senate it might have been rejected by the Parliament of Canada, and this Government in any future negotiations was in no way bound to the principle of the proposed treaty, any more than was the Government of the United States. Then the hon. member drew somewhat upon his imagination in picturing the wealth, population and resources which this country would possess at the expiration of twenty-one years, the period during which the treaty would run. The hon. member had stated that Canada would by that time, have quadrupled its population, which would, indeed, be the most marvellous growth ever recorded. The highest rate of increase of the United States was 33 per cent. but the average was somewhat less. It was a simple fact that in all the discussions upon the treaty, and in all the diatribes which had been uttered respecting them, the hon. GEORGE BROWN

occupied a very prominent position. In fact it might be suspected that had some hon. member on the Opposition side of the House instead of a leader of the Reform Party, negotiated the treaty it would have been more acceptable to the hon. members opposite. The treaty had been made to operate against the Reform Party, and the course taken by the Opposition throughout has been an unpatriotic one, their opposition having been dictated by no regard for the interests of the country, but by a desire to drag down a prominent man and injure the party which was wielding the destinies of the country. The hon. member for Niagara told the Government, the other day, that they ought to have foreseen the political change which was impending in the United States, and that the present was an unfavorable time for negotiating a treaty. Indeed, the Government ought to have known what the American people did not know, viz. : that at the coming elections the Democratic party would return a majority to the House of Representatives.

Mr. PLUMB explained that he said that the hon. Mr. BROWN from his intimate knowledge of American politics ought to have known this fact.

Mr. CHARLTON said that if Mr. BROWN ought to have foreseen this result, then he was expected to know more than the Democratic party themselves knew, because they were astonished at their success ; and more than the Republican party knew, for they were equally astonished at the success of their opponents. But even had Mr. BROWN or the Government foreseen that the Democratic party would have had a majority in the House of Representatives at the next Congress, it made no difference in the treaty-making power. The Senate was still Republican and would remain so for years to come, and, moreover, the executive and the whole treaty-negotiating and treaty-making power was in the hands of the Republican party, and would remain so for years to come. It is probable the success of the Democratic party in returning a majority to the House of Representatives was a mere temporary success, and would not obtain two years hence when the next election for members of Congress would take place. The hon. member for Niagara had also argued that after the abolition of the treaty of 1854 this country was prosperous in a remarkable degree. He inferred from that that the hon. member was opposed to reciprocity on any terms whatever, and that this country would be better without it. But an increase in the population of the country was a pretty sure indication of its increase in wealth, and of the measure of prosperity which it enjoyed. During the decade between 1861 and 1871 the progress of Canada was most unsatisfactory to all real lovers of their country, and those who wished to see it great in wealth and progress. The increase in population during that period was less than thirteen per cent., and that was a sufficient answer to the argument that this country would prosper without reciprocity. It was not a healthy increase as compared with the increase in the United States where the increase was twenty-three per cent., although the country was subjected during that time to the drain of the civil war. He need not dwell further on the subject to prove the desirability of a Reciprocity Treaty with the United States. Nature had placed us side by side with a nation which now possessed forty-two million people. A country that had one-half of the railway mileage of the globe, and with thirty thousand miles of navigable inland lakes and rivers—a country that had every variety of soil, of clime, and of production. It would be unnecessary to dwell upon the benefits that the thirty-eight States and ten Territories had derived from free trade between themselves, and from the abolition of Custom House regulations, and Canada, lying alongside that Republic, forming geographically and commercially a part of it, felt that free trade with it was in the highest degree desirable. Her desire to participate in the benefits that free trade conferred under these circumstances, had been shown on various occasions. In 1866 Sir ALEXANDER GALT, and Messrs. HOWLAND, SMITH, and HENRY, of Nova Scotia, were sent to Washington to endeavor to procure a renewal of the Reciprocity Treaty, when the Government was led by the hon. member for Kingston. In 1869, SIR JOHN ROSE was sent there for the same purpose. Both these missions were, however, unsuccessful. In 1874 the Hon. GEORGE BROWN was sent to Washington with the same object, and unlike his predecessors his mission, to a certain extent, was a success, and it was a mis-

fortune for Canada that the treaty negotiated had not been ratified by the United States Senate, and carried into effect. When the draft of the treaty was made public it was astonishing to see the objections offered to it. The Boards of Trade objected to it because it was going to ruin our manufacturing interests, and nearly all the interests in the United States objected to the ratification of the treaty, and memorialized the Senate to reject it. British merchants thronged to Downing Street and the Colonial Office likewise protesting against it. The treaty appeared to be a diplomatic bull in the national china shop, breaking and smashing unmercifully the goods belonging to the unfortunate proprietors. What were the objections offered in America? One was that it would divert trade from American channels, and build up Canadian emporiums of trade by the enlargement of the Canadian canals. There was force in this, because a large portion of the trade would undoubtedly be diverted from American ports when the St. Lawrence and Welland Canals were enlarged so as to allow the passage of vessels drawing twelve feet of water. Another objection raised was that the treaty would have the effect of diverting ship building from the United States to Canadian yards. There was also force in this objection. The treaty that gave Canadian-built vessels the privilege of registering as American vessels —a privelege never accorded by the United States except by a special Act of Congress —would have transferred the entire business of shipbuilding from the Republic to this country; it would thus have given employment to thousands of mechanics and artisans, and millions of capital, and would more than have compensated for any loss that could have accrued to our manufacturing interest from the adoption of the treaty. Then the objection was raised by American carrying interests that the treaty opened the carrying trade of the great lakes to Canadian shipping, and persons not familiar with that trade were not aware of the importance to Canadian shipping of that concession. Under the present law, Canadian vessels clearing with a cargo of grain from Chicago, Milwaukee or other ports could not call at Buffalo or Detroit to take return cargos of coal. The consequence was that Canadian vessels were obliged to go up light, and Canadian vessel owners could not thereby compete with American vessel owners, especially in dull seasons like the past one. If, however, the concessions given under the treaty were obtained by Canadian ship owners a large proportion of the carrying trade of the lakes would be transferred to Canadian bottoms. Then it was urged that the treaty would injure the lumber interests of the United States, a vast interest employing 200,000 men and $40,000,000 of capital, the production in Michigan last year being three thousand million feet, or ten times the production of the Ottawa district. The American lumber interest was therefore very powerful, and it had used its best efforts to defeat the treaty, for they knew it would be injurious to their interests. Then a protest came from the American woollen manufacturers and wool growers, they apprehending that the Canadian woollen mills which now made excellent tweeds, would if the barriers were thrown down, find a market for their goods among the fotry millions of people in the Republic. The agriculturalists of the United States protested against the treaty, even those western farmers who the hon. member for Niagara said could drive our grains from the American market. There was in fact scarcely an industry in the United States that had not memoralized the Senate, protesting against the ratification of the treaty negotiated by Mr. BROWN. Now what Canadian interests objected to the treaty? Did we hear any objections from the agriculturist, the lumberman, the mine-owner, the fisherman, the colliery-owner? No. The great interests of the country never raised their voices against the treaty, they were in favor of the treaty, and knew it would conduce to their prosperity. With respect to agricultural interests, from a free trade stand-point the treaty was a wise act, but he proposed to view it from a protectionist stand-point. The object of a protective tariff was to develop manufacturing industries and create a home market for produce of the soil which will not bear the cost of transportation to a distant market; and although the people might pay higher for the products of the loom, yet in the end the balance of benefit would be in their favor. The policy of the United States had been for many years a protective policy, and for the last ten years it had been one of

extreme protective. The tax-payers of that country had paid thousands and millions of dollars for the purpose of creating their vast home manufactures and markets for them, and that they might have their Lowells, their Manchesters, their Fall Rivers, their Providences, and the various manufacturing towns of the New England States. What did this treaty purpose to do? Were we to enact protective tariffs, and create a market by the most protective duties, it would be half a century before our market would be in a position like the American market; but this treaty proposed to throw down all the barriers and give us the benefit of a market which they had paid millions to create. The great West with its millions of population had borne its share of taxation that they might make those vast manufacturing industries in the East, but those places occupied a secondary position to us, and had this treaty become law it would have placed us not only upon equal terms, but better terms in the market to create which they had paid so much. Viewed from the protectionist stand point the treaty recommended itself to all who would recommend protection for the creation of a home market. He had attended the committee that had the duty of examining into the state of the manufacturing interests of the Dominion, and the committee had had before them manufacturers from all parts of the country. He had invariably asked those gentlemen what their opinion was as to the probable effects of free trade with the United States upon the particular commodity they dealt in or manufactured, and in no instance had he received an unfavorable answer. The universal answer was that they desired nothing better than free trade with the United States, and that they wanted nothing better than to meet the American manufacturer upon equal terms. And why should they not? We had no manufacturing interests created by an imposition of a protection of more than fifteen per cent., but most American manufactures had been created by the imposition of a duty of thirty-five per cent, and many by a duty of fifty per cent. If those two interests were to stand side by side, the one requiring fifteen per cent. and the other thirty-five and fifty per cent., would not the one with the smallest degree of protection be able to compete with the interest having the greatest degree of protection. He believed that in negotiating this treaty the Hon. GEORGE BROWN builded better than he knew. Of all the benefits that would accrue to Canada, the greatest benefits would have accrued to the manufacturer. He believed that when the barriers were broken down, and the markets of forty-two millions thrown open in addition to the markets of four millions the operations of Canadian manufactures could be so largely extended that a reduction in the cost of manufacturing would be made of from ten to twenty per cent. He believed that those who were unnecessarily scared would have found if the treaty had come into operation that the benefits accruing to them would have been almost incalculably great. It had been objected that in securing this treaty we had given too much. What did we give for the treaty of 1854? We gave the fisheries, and the free navigation of the St. Lawrence; but when the treaty of 1874 come to be negotiated, we had not the latter to give, and why? Because it had been given before, and without any consideration. The benefits secured by the treaty of 1854 were secured by the late draft treaty; and we secured besides much more. We gave for the late treaty the fisheries; but we had given those before. We gave our pledge that certain public works would be constructed and completed by 1880; and we were to receive in return, in addition to the free importation as in the old treaty, of the produce of the soil, the forest and the mine,—the privilege of American register for Canadian built vessels and the carrying trade of the Great Lakes. One of the strongest arguments against the treaty by the American shipping interest was that indirectly we would receive the entire carrying trade of the sea-coast. Not directly; but indirectly; it being held that if our vessels were admitted to American registry a nominal transfer would be made, though the real ownership remaining in the hands of the Canadians; and Canadian vessels would enter upon the carrying trade of the Atlantic and Pacific sea-coasts. This concession was worth more to Canada than all she gave in return for the treaty. With regard to the value of our fisheries it was well enough known the value the Americans estimated them at. When the hon. mem-

ber for Kingston was assisting in the negotiations of the celebrated Washington Treaty they would remember that the American commissioners had offered for them the free admission of coal, lumber, salt, and fish with the provision that lumber should not be admitted free until after 1874. The British commissioners had demurred, and the Americans had not seen fit to increase the offer, but withdrew it. With regard to the canal enlargement, undoubtedly the expense would be very great to Canada. But the Canadian system of canals was not designed to benefit the Americans, but to divert a portion of the vast commerce of the West from the American canals, and for the purpose of carrying out more fully that plan it was the policy of this country to enlarge those canals without reference to reciprocity. For this purpose we proposed to enlarge the Welland and St. Lawrence Canals, and by this enlargement we hoped that a very large proportion of the trade that passed through the Erie Canal and from Oswego to New York would go to Montreal and would make the latter a commercial emporium, and one of the greatest cities of the continent. Much had been said about the building of the Caughnawaga Canal, and efforts had been made to mislead the public regarding it. We were told that we were to be cheated in the operation, because the American Government only undertook to urge it on the State of New York that the Whitehall canal and Erie would be opened to Canada, but we were bound to build and open the Caughnawaga Canal to American vessels. But the draft treaty reserved to Canada the privilege of refusing American vessels the use of the canal if the State of New York did not chose to accept the recommendation of the United States Government, and open her canals to the Canadians. We were to have the free use of the Erie Canal, 465 miles in length, and of the Champlain Canal, 95 miles in length, for the use of the Caughnawaga Canal, of about 40 miles, or we were to get the use of eleven times as many miles of canal as we gave. He considered the construction of that canal would be good policy under the circumstances, because it would afford the cheapest and most convenient outlet for the lumber of the Ottawa Valley, and would save fully $200,000 per annum. to the Ottawa lumbermen. The vast amount of food consumed in the New England States would go down this canal, instead of the Erie Canal, and Burlington would become the great distributing point instead of Albany. If the Americans denied us the use of their canals we could deny them the use of the Caughnawaga canal. It might be urged that under this treaty we would not be allowed the free navigation of Lake Champlain, but it would make very little difference, for instead of making Burlington the distributing point, we would make it at Rouse's Point, or some place on the boundary line. There were two interests he had not mentioned that would be very much benefitted by reciprocity. We had in Canada vast deposits of iron—and a very valuable mine within a few miles from the House. The trade in iron ore of the United States was enormously great, especially from the Lake Superior mines, remove the duty of twenty per cent., and enormous quantities would be exported to the others ide, and coal could be brought and iron manufactured here, and exported to the United States. With this treaty in operation employment would be given to an immense amount of capital, and to thousands and tens of thousands of men. We had in Nova Scotia enormous deposits of coal which could be taken to the New England ports for the New England manufactories, and could be laid down in New York more cheaply than American coal, and a great coal business would spring up in Nova Scotia. Had this treaty been ratified, Canada would have received an enormous impetus; we should have entered upon a new career. One of its strongest features was that it would have existed twenty-one years, and in that time interests would have grown up, and grown permanent. We were well aware that Canada had superior political institutions, and that standing side by side the two forms of Government were on trial. The Americans had a theory hatched in the brains of those who framed the constitution. We had a Government, the result of experience gained in ten centuries. It remained to be determined which of those two systems were best adapted to secure the happiness and prosperity of the people living under them. In order to give our institutions a fair trial, it was necessary that we should have a due share of pros-

parity. If we went on increasing at the rate of only 10 or 15 per cent. in ten years, while the population of the United States showed twice that rate, we should fall behind in the rate of progress, our institutions would attract no attention, and our nationality would in time be snuffed out. All who had the interests of the country at heart should seek a policy that would advance our interests, and he believed no measure was devised that was so thoroughly calculated to advance our prosperity as this treaty, and any party who had opposed it for party purposes was guilty of an unpatriotic act. He would only say in conclusion, when the hon. gentleman who negotiated this treaty passed away, he needed no prouder epitaph upon his tomb than that "Here lies the man who negotiated the Reciprocity Treaty of 1874."

Mr. CAMPBELL said when the Province of Nova Scotia entered the Confederation it was hoped that its resources would have been developed and its industries fostered, but the patience of the people had been almost worn out, and their interests well nigh trampled out of existence. As for this treaty, he regarded it as an abortion, and the Government had shown no disposition to relieve the industries of Nova Scotia that were suffering. Talk of Menonites! Why we could not keep our own population in the country without spending money in bringing strangers to our shores. Our fishermen, our ship-builders, and our manufacturers received some measure of protection, and why not protect our coal industries? He believed the tendency of the Reciprocity Treaty and the Pacific Railway policy was to throw us into the lap of our future destiny, as it was called. If that was the policy of the Government, we should know it at once. As we were at present nobody knew how we stood. He believed there were a great many factories in Canada standing still, waiting to see how the Reciprocity Treaty was going to turn out. There was an uncertainty which prevented men from investing their capital in industrial enterprises. He appealed to the fathers of Confederation to protect the coal interests of Nova Scotia. The imports of foreign coal last year into the Dominion amounted to 804,000 tons, and cost $3,805,000. A duty on that such as the Americans put on our coal would amount to $603,625. That was a handsome sum to add to our revenue. How did the Government suppose they could make a treaty with the United States when they were so liberal as to open our markets to them while they closed theirs to us. They were too astute to do such a thing, and we should learn a lesson from them instead of trying to teach them a lesson in free trade. There was the obnoxious Stamp Act which yielded a revenue of only $200,000 a year. If they would abolish that and put a duty of ten cents per ton on coal they would relieve the people from an annoying tax, and at the same time increase the revenue. While our coal industries were unprotected our miners were leaving the country, and it would be hard to replace them. The Government had a large majority at their back, and could afford to adopt a policy which would foster our industries, and make our country more self-dependent.

The motion was carried.

TRADE RELATIONS WITH THE HAWAIIAN KINGDOM.

Mr. DECOSMOS moved that in view of extending the commerce of the Dominion on the Pacific, it is desirable that the Government take into consideration the advisableness of securing a commercial treaty between Canada and the Hawaiian Kingdom, similar to the treaty negotiated between that Kingdom and the United States. He said hon. gentlemen might have had their attention called to this subject by the fact that the United States Government had recently negotiated a treaty with the Hawaiian Kingdom. That treaty was for a free exchange of the products of the Sandwich Islands and the manufactures of the United States. This treaty was to continue for several years unless terminated by notice from either Government. The treaty would be unfavorable to British Columbia by turning the trade done by that Province to Washington Territory. The value of the shipping trade between British Columbia and the Sandwich Islands amounted last year to $60,000, yielding a revenue to the country of $25,000. This might appear a small matter, but that trade was rapidly increasing. Now, he knew no reason why the manufactured goods of Eastern Canada should not be carried by Cape

Horn or San Francisco to the Sandwich Islands, and a profitable trade established. He would call the attention of the Government to the last telegram from Washington, which was as follows :—

"WASHINGTON, March 18.—In the Senate "to-day a vote was taken on the amendments "proposed by the Committee on Foreign Rela- "lations adding manufactured leather to the "list of articles of American products or manu- "factures to be admitted *to the Hawaiian* "*Islands duty free* ; also, providing that during "the treaty the Hawaiian Government shall "not cede or lease any port, bay or naval "station to any foreign Government except the "United States, or grant any special privileges "to any foreign nation which is not now granted. "*The amendments were agreed to.*"

The object of the United States Government was simply to acquire possession of the Sandwich Islands. From a national stand-point it would be most unfavorable to the interests of Great Britain that what might be called the half-way house between British Columbia and the Australasian Colonies and China should fall into the hands of the United States, as in all probability it would, unless the Dominion Government saw that it was to their interest that it should be maintained as an independent country. This matter was brought up two sessions ago by the hon. member for New Westminister, and at that time the Government of the day promised to deal with it. Up to this time, however, he had not heard that the present Government were doing anything in the matter.

Hon. Mr. MACKENZIE—There is no objection to the motion of the hon. member for Victoria passing, although I am not able to say what the Government can do in the matter, further than to institute such inquiries as will enable us to take advantage of any favorable circumstances that may arise. I am aware of the great importance to our Pacific end of the Dominion of obtaining the greatest possible benefit from the trade of the Sandwich Islands, and other parts of the Western Pacific, and I can only say the Government will do everything in their power in order to meet the views the hon. gentleman has expressed in his speech on this motion, though at the present moment I cannot possibly say what we can be able to accomplish.

The motion was carried.

At six o'clock the SPEAKER left the chair.

AFTER RECESS.

STEEL RAILS FOR THE INTERCOLONIAL.

Mr. PALMER asked whether or not two thousand tons of steel rails were purchased last autumn for the Intercolonial Railway, and if so, who acted for the Government in making such purchase, and from whom were the same purchased, and at what price were public tenders asked for, if so, how ?

Hon. Mr. MACKENZIE—Tenders were taken, under the direction of the department, by the Chief Superintendent, by sending samples to all the great iron firms in England. The lowest tender was that of Messrs. WILSON, CAMMEL & Co., at £11.10.0, delivered at Halifax and St. John. That tender, being the lowest, was accepted, and the rails were to be delivered next season.

Mr. PALMER—What was the price of the rails for the Pacific Railway ?

Hon. Mr. MACKENZIE—They were to be delivered in Montreal at $50.

INTERNATIONAL ARBITRATION.

Hon. MALCOLM CAMERON moved an Address to HER MAJESTY, praying that she will be graciously pleased to cause her principal Secretary of State for Foreign Affairs, to enter into negotiation with foreign powers with a view to further improvement in international law, and the establishment of a general and permanent system of International Arbitration. He said that some days ago when the hon. member for Grenville introduced a proposition to this House he gave a very interesting, elaborate and physiological disquisition, on the exercise of gymnastics in schools, for which the House and country would feel obliged ; but he was somewhat surprised when the hon. gentleman concluded his address with a proposition which was entirely unheard of in this country, and which had been spruug upon the House and the people, viz., for the introduction of military training in our schools. He (Mr. CAMERON) felt bound to acknowledge that he was so much taken by surprise that he rose suddenly, and drew a proposition which he intended to submit to the House, and which he thought it was now his duty to himself as well as to the hon. member to make some apology

for; because nothing could be well done that was done so hastily, and what he had said had led to various erroneous ideas being entertained throughout the country. He thought that when he had stated that he was a volunteer, and the son of a soldier, it could not be supposed that he intended to insult the military profession. He knew the value of volunteers and soldiers, and the honor which they had earned in every land in the discharge of their duty, but that had nothing to do with the question whether men ought to be soldiers or not, or whether making a man a soldier was not the very worst use to which he could be applied. He did not mean, by stating that, to either insult or censure those noble men who had discharged their duty at all times and in all countries. It was this that made it appear to him necessary that he should put his views in a better shape before the House. It was this that induced him to look into the question which had been so recently discussed in England; because he thought there was no higher duty before the Parliament to-day than that of expressing the opinion of Canada on the question of settling disputes by international arbitration instead of by war. The Christian's true mode of adjusting differences was by a reference to competent authority, not to barbarous and savage war, and in using those words he used only the words of the first men and first soldiers of Britain. The resolution which he proposed was very nearly similar to one proposed by that great and and lamented man RICHARD COBDEN, in the House of Commons, as early as 1834, and on that occasion the sentiments of Lord PALMERSTON were so much in accord with those of Mr. COBDEN that he would not vote against the resolution directly, but he voted for the previous question, carried it, and the matter was then disposed of. In framing the resolution he (Mr. CAMERON) had followed the exact words of a proposal made last year by Mr. RICHARDS in the British House of Commons, for which he obtained the support of a majority of the House. In that debate Mr. GLADSTONE, like Lord PALMERSTON and Lord DERBY, expressed himself cordially in favor of the principle, but doubted whether the time had come when there was any prospect of nations resorting to that mode of settlement of disputes. The vote on that occasion gave a majority of ten against the previous question, and then the resolutions were adopted unanimously as appeared by a reference to *Hansard*. He (Mr. CAMERON) regretted that the duty of bringing that important question before the House had not devolved upon a more able member, but he could offer the same reason for his action as that given by Mr. RICHARDS, who said that for twenty-five years he had been deeply interested in this question, had studied it, had written respecting it, and had come to the conclusion that the great bulk of the country was with him. He felt from the very few remarks made in the House the other day, he would be sustained to-night by hon. members, and from the letters he had received from different portions of the country, he had no doubt the proposition would receive the hearty concurrence of the people. Some persons would endeavor to shirk this important question by saying that he was a man of crotchets. He was glad his crotchets were not in the direction of the old fogyism and antiquated doctrine of the divine right of Kings and Heaven appointed Senators, the old system of voting and property qualifications; but they were in accord with the benevolent, the wise, the liberal of every land, on the side of humanity, and the poor and suffering, and in accord with the teaching of our Divine Master who proclaimed peace on earth and good will to men, and by whom we were authorized to expect a day when it would be said :—

> "No longer hosts encountering hosts
> Their crowds of slain deplore,
> They hang their trumpets in the hall
> And study war no more."

Those who had treated the subject as Utopian, and thought it hardly worth while to discuss, should remember that almost all the Churches of Europe had united on this subject, that Congress, Conventions, Synods and general assemblies had united in addressing the Government of England and the Governments of the various countries of Europe on this subject. The fact was stated by Mr. RICHARDS that 1,380,000 workmen had united and prepared petitions in favor of international arbitration, and those men were not bought men, were not manœuvred by politicians, but they attended meetings and prepared their petition. Now, what did that prove? It proved this—and he desired those who delighted in war and whose

interests it had been to maintain war—that when the mass of the people began to look into this subject, possessing the advantages of education, and a free press through which they could express their opinions, they began very naturally to think what righteous cause and that interests of humanity were served by fierce wars. They were very apt to think if there were five millions of men under arms who had to be paid, clothed and fed, and were kept from useful employments, that some men must do the work of those five millions. When they thought that 550 millions of money had been expended for providing armaments and means of transport, when they saw in all countries men working beyond their strength often not earning sufficient ways to supply their daily wants, and that those wars had been for the amusement of Kings, Princes and Presidents, and had been to put a brother or friend on the throne—they were satisfied that wars were unjust, and none was more unjust than that war which arose lately in Europe as to whether the Latin or Greek monks should repair the cupola of a certain church, a war which cost one million of lives. Men were now beginning to understand that they had an interest in averting war, and that mankind had been too long a plaything for Kings. Tyranny quakes under the popular movement. What was it that was depopulating Germany to-day, that was causing the young men to leave its shores by tens of thousands? It was because every man was enrolled as a soldier. Under a more liberal government and a free press the people learned to hate war too much and love peace too well to remain longer in a land where every man was a soldier. The subject of the wise and Christian settlement of national difficulties by arbitration was no new doctrine. It was as old as Grotius at least, and Vatel and Puffendorf, and writers since their day, had admitted their desire to see the plan carried out, and their confidence that this desirable result could be accomplished. We were astonished to learn from books that treaties or international arbitration had maintained peace between Norway and Sweden for six hundred years, and between other nations for hundreds of years. There had been a disposition manifested by England, France and Spain of late years to adopt that principle. CHARLES SUMNER, in his work "The True Greatness of a Nation," has shown the absurdity of the war of 1812, which arose regarding the question of right of search. During three years this country was devastated, and he remembered going to York in 1815 after it had been burnt, and subsequently proceeding to Niagara where the orchards had been cut down, and the houses destroyed. An arbitration was subsequently arranged and at the convention the American representatives would not yield without an arrangement was made on the subject of impressment. The British would not agree to that, but the war was shortly afterwards closed. The war terminated without any settlement of the question of the right of search, regarding which the war originated. It was absurd to suppose that these circumstances could transpire without their being discussed. It had been said by honorable members that this was no time to talk of peace and international arbitrations when European nations were arming, and when a great conflict seemed imminent. This, however, was precisely the time when he desired the voice of this Dominion to be raised against the absurdity of involving us in a war with the nations of Europe in which we could have no possible interest. He believed some arrangement might be entered into between Great Britain and the United States by which, in the event of war between those two nations, Canada would be allowed to remain at peace. It was said that the time of peace was the time to prepare for war. It would be just as wise to say that the best way to save your premises from fire was to fill the cellar with gun powder, quicksilver and lucifer matches, and then send the boys to play there. Whenever there were threats of war soldiers were called out and it was said "we must be prepared for war;" and 50,000 or 100,000 men were drilled and kept ready for action. The adjoining country forthwith declared that the preparations were a menace to it, and the people likewise armed. These peace preparations cost the nations five hundred and fifty millions annually. This useless expenditure had led many people to look into the effects of war in the past that they might prove an argument in favor of some other mode of settlement in the future. Austria, Italy, Spain and even Russia were burdened with war debt,

and young and wealthy America was staggering under its immense debt. There were a great many people who approved of the outlay of money in any way. He was liberal in such matters if there was any return for the expenditure. In a Parliamentary experience of forty years, he had hardly ever voted against expenditures for canals or immigration. He held that a young country could not be overloaded with debt in making such improvements. He was ready to support the Government in any such expenditures. He believed we should have had a canal to Lake Huron long ago. He found that no less a sum than $1,500,000 was spent under an economical Reform Government, during the past few months for these warlike amusements, viz.:—mounted police, $200,000; militia branch and staff, $28,046; brigade majors, $27,199; military schools, $29,000; care of ordnance property, $9,668; drill instructors, $42,000; military stores, $69,000; drill sheds, $5,420; gun boats, $9,400; armories, $56,000; ammunition, $57,000; clothing, $32,000; artillery, $109,713; ordnance, 37,315; improved fire arms, $39,000; and contingencies of various kinds which made up the rest of the amount. They had reduced it, he believed, nearly half a million dollars, and drilled only 26,000 instead of 40,000 men. These young men had been removed for a time from the social circle, home influences, and everything calculated to make a man good and happy. Our soldiers were young men, of sound health, examined and re-examined by physicians. They consisted of the very flower of the country. These young men were taken out and put into camp for sixteen days, and he knew that their parents in this part of the country, considered it sixteen days badly spent. It had a demoralizing effect. Probably had there been no West Point, the foolish civil war in the United States would never have taken place. The difficulty would have been settled by arbitration but for the enthusiasm of the cadets. And what terrible results followed that war? The South was filled with desolation and suffering. Families were reduced from wealth to beggary. He could not dwell on the terrible record. Think of a Borodino where 80,000 in three days were torn to pieces and left in the snow and ditches to satisfy the ambition of a ruler whose name is execrated by all who love peace and holiness. Take half a dozen cases out of the 80,000 connected with that battle, and think of the sufferings of their families, and then ask can we talk of war as something glorious! Nobody delights in war now but the savage who regards it as honourable. In Russia, it was true, there was a love of military glory, but although there was an educated aristocracy there, the serfs knew nothing of liberty, of schools, or a free press, and hence they looked up to military men. But it was not so in England, and officers liked well to go to the colonies, because they knew they were not looked up to at home. War was looked upon as discreditable, and he had just as much faith in getting rid of it, as forty years ago to get rid of duelling. It was said that as long as man was what he was, there were some offences for which nothing but blood could atone, but when it was made a crime, it was put an end to. This scheme of beggar-my-neighbours had become so unsatisfactory that he found the principle of international arbitration had been frequently adopted since 1834. The Portendi claims between England and France were settled by the King of Prussia. In 1853, all outstanding claims between Great Britain and the United States, since the Treaty of Ghent, in 1814, were satisfactorily adjusted by arbitration. Questions of considerable difficulty between the United States, New Granada, and between the same power and Costa Rica, as well as Paraguay and Peru had at different times been settled by arbitration. In 1863, a dispute between Great Britain and Brazil was settled by the King of the Belgians. All these cases were disposed of satisfactorily and no objections were made. These were questions much larger than had caused war in other instances. It was found these could be arranged, and so could other matters, and cases could not be imagined which could not be settled by arbitration. Boundary lines could be adjusted as in the case of the line between Oregon and British Columbia, and of that to the east of us between Maine and New Brunswick. Our peculiar circumstances here were such as needed such a mode of settling difficulties. It had been said that science itself had been sold to the devil to discover means for the purpose of destroying human life. We needed such science for our mines,

and canals,and for the education of our people, and not for war. He was satisfied he would be supported by some gentlemen in this House who more or less agreed with his views on this subject, and he believed the time was coming when we might very properly address our Sovereign in reference thereto. Sooner or later, in GOD'S mercy to men, this principle would prevail and all would recognize the fact—

"That there's a divinity within
That makes men great who will it;
God works with all who dare to win,
And the time cometh to reveal it.

"Freemen, though tyrants kill the brave,
Yet in our memories live the sleepers;
And though doomed millions feed the grave,
Dug by death's fierce, red-handed reapers

"The world shall not forever bow
To things which mock God's own endeavor.
'Tis nearer than they wot of now,
When flowers shall wreath the sword forever."

Mr. RICHARD said he had thought of bringing before the House for its consideration a motion somewhat similar to that of the hon. member for South Ontario, but considering the difficulty he had in expressing his ideas in a language not at all familiar to him, considering also that he had not sufficient authority to act as the mover on such an important question, he dropped the idea. He was glad to see the question brought up by the hon. member for South Ontario, and hoped that this House would unanimously adopt it. Though this question might perhaps not be productive of immediate practical results, it nevertheless was one of immense importance, conducing slowly but surely to a final result, and having a bearing beyond the limits of this Dominion, having a bearing all over the civilized world. The question of a permanent arbitration was a new one to many—it might be at first sight considered even a chimerical idea. War having always been the sad lot of humanity, it might be thought that it is a necessity, a necessary evil, the result of a disposition of the human mind. But in spite of whatever may be said either against the idea itself or its prematureness, he had not the least objection to stand before this House as an advocate of and believer in peace, because the reasons in favor of such an idea were so obvious that they cannot fail to bring conviction to the mind of any man open to conviction and unbiassed by strong prejudices. Besides the obviousness of the reasons in favor of this idea, such a question cannot be considered as Utopian that has been supported by a majority of the British Parliament, that has been partly executed in many cases, specially in the celebrated Washington Treaty by the Geneva Tribunal. An idea supported by such men as GROTIUS, WILLIAM PENN, LEIBNEITZ, KANT, WASHINGTON, MADISON, FRANKLIN, JEFFERSON, SAMUEL ADAMS, HENRY CLAY, LOUIS PHILIPPE of Orleans, GLADSTONE, BRIGHT, COBDEN, MILNER GIBSON, ROEBUCK, JOSEPH HUME, Lord PALMERSTON, Lord RUSSELL, Lord CLARENDON, MICHEL CHEVALIER, SUMNER, Lord DERBY, were not Utopian. If so, he was glad to be so with such men. NAPOLEON I. himself clearly expressed the same opinion when he said that war was the business of barbarians. In his memoirs he says—"That "he had a project for general peace, that "an agglomeration of European peoples "must arrive sooner or later by the mere "force of events, and then what a perspec- "tive of greatness, happiness, of pros- "perity. What a grand and magnificent "spectacle!" The resolution moved by Mr. HENRY RICHARD in the British Parliament at the session before last was carried against the vote of the Prime Minister. He opposed it, but only for reasons of expediency. He said—"He was not ready "to vote for Mr. RICHARD'S motion, but "he felt convinced, with a sentiment to "which he might almost give the elevated "name of faith, for all the hope he had for "humanity was so closely associated with "it, he felt convinced that there was reserved "for this country a great and honorable "destiny in connection with this subject." Lord DERBY, a well-known Conservative, on the question with Spain about the ship *Mermaid*, said in the House: "Unhappily "there is nothing in the nature of an "International Tribunal to which all cases "of this kind might be referred to, and "there are no international laws by which "parties can be required to submit such "cases to arbitration. I do not hesitate "to say that it would be one of the greatest "benefits to the civilized world if "such a tribunal existed." Before this century, the idea of arbitration was mostly confined to philanthropists but since that time the idea has progressed wonderfully, and is now admitted by most statesmen, not only by those of advanced political opinions but of all shades, by men

of all creeds, that arbitration is practically and fairly within the power of States. There is no permanent system of arbitration, but special arbitration is often used. In fact more disputes are settled by that means than by the sword. Between special tribunals of arbitration appointed for each special case at the option of the contending parties and a permanent tribunal of arbitration the distance is not very great, the principle is virtually the same but is practically less effective in the former case because the course is open to option and less binding on the parties. Such a permanent tribunal of arbitration exists in the United States under the name of the Supreme Court. This tribunal adjudicates between different States of the Union and between such States and the Federal Government. As said Napoleon I. war was the business of barbarians. We boast very often of our advanced state of civilisation, but this is true only in a limited sense, and as a comparison with past times. War is a relic of barbarism, the obstacle which prevents humanity from attaining real civilization. With the progress of civilization war is becoming gradually an impossibility. It is true that we have still fearful wars but it is equally true that they are less numerous and shorter. The ancient causes of war have disappeared. Wars for the making of slaves, wars for the capture of booty, wars for the possession of colonies, wars for religious purposes, wars about historical rivalries have entirely or almost entirely disappeared over the civilized world. It is true that those causes of war have been replaced by others, such as those arising from the idea of great agglomerations of nationalities and those civil wars arising from the conflict of classes about the solution of social questions. But though those questions will trouble peace for many years to come in Europe, the idea of peace has yearly gained ground in the minds of political men, and with time those two causes of wars will also disappear, not to be replaced. The Westphalia Treaty has almost put an end to wars about religion, it has established a kind of equilibrium to prevent any European nation from overpowering any other. This principle by its very nature could be out a transitory agreement to answer a certain purpose. Wars have raged for the maintenance of this principle, it has been finally broken by Italy and Germany in virtue of an older principle, the one of nationalities, suppressing the old boundaries to form large agglomerations under the basis of identity of language and of origin. It was his humble opinion that a great continental war in Europe is imminent under that very principle. It is a new stage in the history of humanity which cannot be overcome without much bloodshed. But it will be overcome as other causes have with time been overcome, and the great cost of these wars in blood, money and injury to the wealth of nations will for that very reason do much towards the establishment of a permanent tribunal of arbitration. In former times, nations thought they had a great interest in making wars and sometimes they had, by making slaves they were relieved from any hard work, by conquering a country besides all the booty taken from the enemy they raised a yearly revenue from it. By the conquest of foreign lands and colonies they conquered a market for the products of their industry. By a successful war an absolute monarch satisfied his ambition, he was called a hero. At the present time no such reasons exist. Civilization does not allow us to make slaves, neither to impose a yearly tribute on the conquered country, nor to deprive them of rights enjoyed by the conqueror himself. Colonies are virtually independent, govern themselves as they please, impose duties even on the products of the Mother Country. Absolute monarchs are getting few, every civilized nation governs itself by its representatives ; having to pay the expenses of war and deriving nothing to satisfy personal ambition, nations have no interest in making wars. With the semi-civilization of past ages and the ideas then existing, the spirit of conquest could not fail to take hold of the mind of an absolute monarch. Whatever might be the justice of the war and its price, the sufferings of the people had no echo. The successful monarch was sung by poets, crowned with laurels ; arches of triumph were erected everywhere to his memory, and to his name was added the appellation of great ; while the memory of peaceful kings was despised and scorned. Military spirit and glory were the only noble occupations, the only one worthy of occupying the life of a gentleman. The progress of ideas and institutions has caused civiliza-

Mr. Richard.

tion to step forward in that respect, to-day brutal conquest is not much admitted. In many cases conquest is rather annexation, which is to say that it is done with the consent of interested parties. If somtimes conquest is resorted to justification is sought under the pretence of necessity, or under the pretence of the superior principle of natural boundaries, of nationalities, identity of origin. The interest of nations to make conquests seems to exist no more. The idea of liberty is too deeply rooted in the minds of people to allow the conqueror to deprive the vanquished of their liberties and to make them submit to a tribute. So even a successful war does not in many cases augment either the power or the income of the conqueror. The true hero will not always be the man who devotes his life to take away the lives of others, but rather he who devotes it to the welfare of humanity, and to the peaceful conquest of the progress of the human mind. Interest is the guide of nations as it is of individuals. Wars were caused by interest, they will come to an end if such interest cease to exist. The barbarian kills the one who disputes with him, the possession of his property, the civilized man summons him before a tribunal. It is because the civilized man knows that his interest will be better attained before a tribunal that he does so. It is because he has no tribunal that the barbarian takes justice into his own hands. Nations act like the barbarian, they make war because there is no tribunal for the redress of their wrongs. If there was a tribunal their interest would be to submit their case to the tribunal. As interest has always been and is still the strongest if not the only motive of human actions, if it can be found that with civilization, discoveries of science, extension of trade, war is becoming not only of no interest, but strongly against the evident interest of all such nations, then the case is proved that war is to come to an end, however, distant may be this contingency. Even now war is an inevitable scourge for both parties, with true liberty the spirit of conquest is incompatible ; still more, it is now known contrary to the opinion of statesman and philosophers of the last centuries that the interests of nations far from being antagonistic are largely identical. That it is better to be surrounded by wealthy neighbors than by poor neighbors. That to ruin our neighbor is to shut up a market for our products—that by means of easy and frequent intercourse between peoples, the division of work, the variety of the resources of each country and the extension of trade of the civilized world has become a great family with harmonious and identical interests. That war between two nations injures not only the trade and prosperity of the two contending parties but also the whole trade of the world. Ancient national hostilities and suspicions have almost entirely disappeared ; French, English, Germans by closer contact have established between themselves relations of friendship. To judge of the future by the past, as many do, proves a great lack of judgment and foresight, because the difference already made wider and wider every year. The progress of science had shortened distances, and as a consequence, commercial relations, reduction of tariffs and commercial treaties have ensued. International Congresses of alll kinds had consecrated the Economical Union, the community of interests of all nations. Every year great efforts were made to bring nations to adopt the same laws, the same rules, the same coinage, the same tariffs, the same weights and measures, the same postal and telegraphic taxes. At this very moment there was a Congress sitting at Brussels on the subject of making a code of International Laws to which most Governments had sent authorized delegates. Capital, this powerful agent has become of a cosmopolitan character, the savings of a nation are invested and enrich the industry of other nations. The immense savings of England are invested in all kinds of stocks all over the world. The whole world is the debtor of England, the whole world is the market of England, every nation, but specially England, is highly interested in the maintenance of peace for the security of her own stockholders, and the preservation of her markets. War between England and the States would mean an immense loss of bloodshed and money to every family in these countries. And to us it would mean, besides bloodshed and destruction of property, the complete destruction of our rising industry and of 25 years hard toil and labor. As the eminent Belgian Author, LAVALEYE says so well: "The interests of nations are so much intermixed that an enemy cannot be stricken without

killing a debtor, and victory is almost as costly to the conqueror as to the conquered." Capital is a powerful agent of peace in the present time, but there is also a new agent of peace which is yet but in embryo, but will rapidly develop itself. He meant free trade. Nothing would do more to bring nations into closer contact and into relations of friendship than free trade, and for this reason nothing would do more to prevent war. How many national rivalries and disputes had been caused by prohibition tariffs or heavy duties on imports. He had, it is true, advocated protection in the House. He would still advocate it because he believed it would help the building of our industry, but he was none the less a free trader as a principle applicable to all countries in future times. He would certainly be an inconsistent Liberal if he were not a free trader. We had in our own country a conclusive illustration of the fact that wars were impossible when any interest in making them did not exist. What cruel and repeated wars had been made by European Powers during the last two or three centuries for the conquest or retention of colonies! The European Powers thought they had a great interest at stake in those colonies, and he thought they had. But now with the progress of ideas, the plundering of man by man, of a country by another is almost an impossibility. The colonies govern themselves as they please, they even are at liberty not to favor the Mother Country with differential duties on her goods. The interest in retaining colonies having disappeared, what did they see. They saw immediately a strong party in favor of their abandonment. Exactly a century ago they saw England fighting hard against her colony to keep her under her sway and now after a century they saw exactly the reverse. They saw England signifying repeatedly to one of her best colonies: "I have no interest in keeping you, you may go, and they saw the colony almost praying not to let her go. It is a fact, he believed that if there was any interest in the maintenance of the existing dependency, this interest is rather on the side of the colony. However, in our case there is a tie of friendship which may be strong enough for a long maintenance of this dependency. But so much is interest the measure of actions between peoples that this tie strong enough for ordinary circumstances would certainly not resist serious conflicts of interests. Since the policy of European nations with regard to colonies had been so radically modified on account of the interest in their retention having disappeared, it was a strong example which led us to infer that wars will also disappear if they afford no benefit to nations. But as their interest becomes entirely opposed to wars the argument has still more force. Besides the reasons he had given, it was a well known fact that every nation is sinking heavily into debt by expenses occasioned by wars more costly than ever before. In Austria the accumulated deficit from 1851 to 1866 amounted to £130,000,000. The debt of France from 1851 to 1870 before the Prussian war increased from £213,000,000 to £550,000,000 In Italy the annual deficit is about £22,000,000. The last war of France with Prussia had caused the whole debt of that country to amount to 20,000,000,000 of francs, obliging France to provide for $200,000,000 of yearly interest before the paying of the sinking fund and of current expenses. It had been calculated by Mr. BAXTER that 88 per cent of the debt of the world has been caused by wars, warlike preparations and other unproductive expenditures, with this statement he left it to the intelligence of the House to calculate the difference of prosperity if taxes had been 88 per cent less than they are now. Besides loss of money they had to consider the immense loss of lives, of men butchered in the prime and vigor of manhood? How much of vital force, productive energy, of usefulness was thus taken away prematurely; how many precious lives had been mowed down by the sword and the cannon and had been lost for their family and to their country. It had been calculated that 2,000,000 men had lost their lives in wars within 20 years. who could tell what tears, what sufferings, and sorrows were caused by this loss. For every soldier killed in battle field their are numerous relatives suffering, it is a centre of affection that we break up, a happy home which is left needy and desolate. War was also the source of most of the evils of humanity; it was the source of ignorance and pauperism and as CHANNING says: "War is "the concentration of all human crimes. "Under its standard gather violence,

" malignity, rage, fraud, perfidy, rapacity, " and lastly, if it only slew man it would " do comparatively little, but it turns man " into a beast of prey." Arbitration by the sword does not decide the justice of the litigation, it decides only who is the strongest, without any regard of justice. To many, however, the vast amount of taxes paid for warlike purposes, all the sufferings, all the crimes the result of wars were of no consideration, or rather they did not set their minds on those facts. He had demonstrated clearly the evidence of the following facts : That wars had been caused by an interest of some kind. That this interest owing to the various causes he had mentioned had almost entirely disappeared, was often adverse to it, and would with time and civilization be completely adverse. That being so wars must as a necessity come to an end, because they would never have any other basis than interest. If it was a matter of great difficulty to come to an understanding about the course to be adopted for the settlement of disputes which may arise he would have some hesitation. But the course was simple, so simple that no other reasonable course could be found. Every one admitted arbitration to be a principle of equity and right, but some still thought the question impossible. It had been so with a great many other questions, they had been deemed impracticable till found admirable changes. It had been so with the prevention of duelling ; it had been so with the abolition of slavery ; it had been so with Representative Government, it had been so with free trade. There was but one possible objection to a permanent tribunal of arbitration, which was where will rest the executive power to enforce the decisions of such a tribunal ? That had some apparent force, but when examined carefully it had almost none. Every nation would be interested to the acceptance of the decisions, the honor and interest of the country against whom the decision had been rendered would rather be to accept it than to refuse it. Special arbitration had often been used and the decisions had always been accepted. If so with special arbitration, without International Laws to guide the decisions, how much more with an International Code of Laws and a permanent tribunal. JOHN BRIGHT had said: " I believe the time will " come—and much faster than some believe " —when war between nations, will be con- " sidered as brutal and idiotic as duelling " is now considered amongst almost all " classes of the community." He did not pretend that wars were to come to an end within a short time ; it would be absurd te believe it. The cause of war arising from the principle of nationalities and agglomeration of peoples of the same origin was one which must be solved, and it could not be solved pacifically. The map of Continental Europe had, in his opinion, to be radically modified by that principle. Perhaps, in the views of Providence, this frightful storm is necessary to clear the atmosphere, and for the solution of many pending questions. All the efforts of the statesmen and of the friends of peace would be in vain used to prevent this storm. But these efforts would help the establishment of a permanent tribunal of arbitration, and would force in the meantime the settlement of many disputes by special arbitration as had been so often done within 20 years. The idea of peace was daily gaining ground, so much so that Napoleon III. to justify his *coup-de-'etat* and to captivate the favors of the French nation thought proper to declare that " The Empire was peace." Whatever might be the opinion of hon. members about the possibility of wars coming to an end by arbitration, however, they would differ from him in that respect, every one should admit that it would be better to have some International Laws than none at all ; that such laws and such tribunal would prevent many wars ; that special arbitration though not so binding on parties as would be the decision of a permanent tribunal, had been used successfully in many cases, then if that were admitted they should vote for the motion. It was not without importance that this question be or be not brought before this House. They had a great interest at stake. There was a double end to be attained. 1st, It would act as a recommendation and would impose on England the duty of using arbitration when our interests were concerned ; 2nd, It would promote by our example the general admission of permanent arbitration. The example had been set by the United States and by England ; our action in this matter whatever might be our importance would show to the

world that the idea was progressing, and had been echoed all over the free land of America. This would show that wherever the Anglo-Saxon race is to be found, the same spirit of liberty, the same spirit of progress, the same love of humanity, the same ideas, the result of free discussion, of enlightenment and the long enjoyment of free institutions, were also to be found. The English Parliament having the session before last expressed the same opinion as the one now submitted to their consideration, they might follow suit without fear of doing anything too radical. If such a motion had been carried in a country where institutions were so deeply rooted, where the tie between the present and the past was so strong, he thought that having no such obstacles it would prove a want of intelligence not to support such a just and reasonable motion. Twice war had become imminent between England and the States within fifteen years, and twice it had been averted owing to their wisdom and to arbitration. Since the Washington Treaty they might have good reasons to believe that all disputes would be settled amicably, however they might not; in such an event, feeling more heavily the evils of a war, they might reasonably suppose that more attention would be given to secure a settlement by arbitration if Parliament expressed the opinion tsough for by the present motion. No serious causes of difficulty had ever arisen between Canada and the States. The two wars they had to support since the conquest were not for causes of our own. Having to provide for the costs of our military defence against the enemies of the Mother Country rather than our own, it was quite reasonable that they should have the privilege of advising England about the way of settling such disputes, since she could not be indifferent to the fate of her colonies. They had established the basis of a solid future prosperity, they should be its scrupulous guardians; it was becoming of them to do everything which might prevent such a calamity. If they were exposed to a disastrous war with the United States on account of comparative weakness and the special position they occupied, they should feel satisfied that progress of ideas had caused to disappear the idea of annnexing Canada by force. The idea was not perhaps abandoned but the execution was left to events and to our own will. England had become a pacific nation. Instead of dreaming of conquests, instead of dreaming to have her flag floating on all parts of the globe, she had turned her attention to herself, she had thought of solving the noble problem of promoting the happiness of her subjects by giving bread and instruction to all, and by constituting herself in her foreign relations the defender of the policy of peace. Her favorable position and the long and peaceful enjoyment of free institutions placed her in a good position to promote amongst other nations her mission of peace. This had been well understood by her statesmen. She was the advanced citadel of progress in Europe; it was to her that humanity was indebted for the best part of progress. This policy of peace which seemed to have been adopted by England had been blamed in some quarters and called a policy of isolation and effacement; they had not understood the object and the favorable results of this policy and the high mission England had to fulfil in the way of civilization. The position of England was favorable to work in this sense, she was under shelter in her island, and had not to fear any complications arising from rectification of boundaries as other nations on the continent have. It should be a great cause of satisfaction that England and the States had practically adopted arbitration. In spite of the adverse result of the Geneva tribunal, England had not set aside arbitration, since she had submitted lately a difficulty with Portugal to the arbitration of the President of the French Republic. Without arbitration the question of the Alabama claims could not very likely have been settled without a war. And what would have been the result of such a war? Without knowing how it would have ended as far as success is concerned, though he entertained a strong opinion that it would have been against us, one thing at any rate was sure, that Canada would have been the battlefield. Conquered or victorious the country would have been devastated. In a few months our rising industry, our trade, our agriculture, would have been destroyed, and all that for a miserable point of honor for a cause which was not our own. In presence of such facts could they hesitate to vote for a resolution which sanctioned a principle capable in

the future of preventing the scourge of war. The expression of the principle of the motion by the House would impose on England the duty, a moral obligation to use arbitration. It was from America that the example had to come for a great many things. It was the United States who by their example had reconciled Europe to liberty and progress, and had to give to her this impulse which agitated her so much. Canada could and should emulate the same role and by voting the resolution they would make if not the first at least the most important step in that direction. The Washington Treaty had not only settled a difficulty but it had also shut the door against other difficulties by causing to disappear the deep rooted hostility which had always existed between two nations so well fitted to understand each other.

Mr. BROUSE said no one could have listened to the speeches made by hon. gentlemen without coming to the conclusion that Canada was indeed becoming a great nation, when we were assuming to ourselves the privilege of dictating to the powers of the earth the principles of peace. While he agreed with most that had been said by the hon. gentleman who moved these resolutions, he would ask the House for a moment to look at what they contained. They endeavored to establish the principle that we might have a system of national arbitration that would settle satisfactorily all differences between countries. He (Mr. BROUSE) held that so far as the difficulties which end in war were concerned, it was impossible, as a rule, to settle them by such a system. What was the power that compelled submission to arbitration between individuals? It was the power of the law, and without that power these arbitrations would be useless. Where was the power to carry out the abitration proposed by his hon. friend? There was no power that could carry it out but the armies of the nations. The liberties of the people must be protected by the people themselves. No series of resolutions such as those proposed by his hon. friend would induce nations to introduce any other system except that which they were now carrying out. His hon. friend had stated that he was a member of a peace society for over thirty years. Although no advocate of war, he (Mr. BROUSE) took the liberty of asserting that there were times when nations must resort to war. He believed that there were questions in dispute between countries which could be settled by arbitration; but he also believed that there were questions which could not be so settled. What position would England have been in to-day had she referred to international arbitration, when a foreign vessel came and dragged from beneath the British flag on board of HER MAJESTY'S man-of war *Trent* men who had placed themselves under her protection. If she had not come forward on that occasion to sustain her honor, and declare that these men must be returned immediately to the protection of her flag, he felt certain that there was no member in this House who would not have felt ashamed of her conduct. Mr. JOHN STUART MILL was a member of the Peace Society, yet he recorded it as his deliberate opinion that war in a just cause was not the worst evil that might befall a nation—that that degraded state of morality and patriotism which considered nothing worthy of war was worse. His hon. friend had referred to the circumstances attending Mr. COBDEN'S bringing forward his peace resolutions in 1848 on the floor of the English House of Commons. These resolutions of the Peace Society had no doubt a powerful influence in England, and he could well believe his hon. friend desired they should have an equal influence in this Dominion of Canada. He (Mr. BROUSE) had no such desire. He charged against that peace society that it had been the cause of one of the most destructive and bloody wars in the history of the world. We had COBDEN, BRIGHT and others in these days trying to induce England that she should pocket all insults, and that her people should be "a people of peace at any price." They preached this at the corners of the streets —they preached it from the platforms, and they had it preached from the pulpits. They advocated it on the floor of Parliament. Russia was at that time anxious to extend her influence towards the south so that she might become a great naval as well as a great military power. She was bound to obtain the Black Sea, and when she saw this principle obtain such influence in England she felt that the time was a proper one to make her advances, she made her peace with Prussia and Austria; she

sent her emisaries to England to fan the flame kindled by the peace society. That society sent a deligation to Russia to say that it was unnecessary to go to war, and that if war were threatened England would not be prepared to uphold it. No sooner was this said than Russia advanced upon Turkey. Lord ABERDEEN, who was then in power, listened to the Peace Society until his vaciliation became fatal to the country whose interests he had in his charge. The great spirit of England, however, came forward and protested against the principles of peace at any price; and when at last they were obliged they did go to war. And as a tribute to the evil results of refusing to be prompt and energetic, when the interest of the country required that course, the bones of 100,000 of Britains best sons were now bleaching upon that foreign shore. If that Peace Society had not influenced English opinion—if Lord ABERDEEN had come forward promptly and energetically at first, that war would not have taken place. He charged this Peace Association with being entirely and wholly responsible for causing this, one of the most cruel and fatal wars that ever occurred in the history of the world. Since 1856, when at the convention of Paris Lord CLARENDON came forward with his resolution—resolutives that were endorsed by the representations of all the great powers present—some of the most bloody wars that have characterized the century have taken place. He had said sufficient to show that whatever proposition these peace-at-any-price men had to make, they could make no proposition that could prevent war If the honor of the country was wounded it must be avenged; and to avenge it there must be war. His hon. friend had referred to some remarks of his in regard to military drill, and had endeavored to show that if we taught our young men military drill it would create in them a warlike spirit. The hon. gentleman had also endeavored to prove that it was from the instruction given at West Point that the American war arose. This was astounding enough to him. He always thought that it was the clank of the chain upon the enslaved negro that caused that war. He (Mr. BROUSE) had attempted to prove, he thought to some purpose, that if military drill were begun in our schools, it would improve our young men physically, intellectually and morally. It would be an advntage toour schools, and could be had without any large expenditure of money. The hon. member for South Ontario had referred to the volunteers of the country. It was unparliamentary perhaps to remind the hon. gentleman that he stated distinctly on a recent occasion that he would rather teach his son to drink whiskey and to be a thief than allow him to learn military drill. As a volunteer of the Dominion of Canada he was delighted to hear the hon. gentleman state that he did not intend to insult the volunteers. He believed if there were one class worthy of the respect of the people of Canada more than another it was the volunteers. The young men who left their homes at a very inopportune season — who left their domestic comforts and went up to prepare themselves for a duty which they owed to their country as citizens—were deserving of the highest praise. Had the hon. gentleman not withdrawn his remarks he (Mr. BROUSE) would have to felt it his duty to have spoken more severely in reference to the matter. The hon. gentleman made another remark which could not be passed over. He stated that it was absurd to suppose that we could protect ourselves against the United States. He (Mr. BROUSE) denied the proposition entirely. He believed that if we read aright the history of the country in the past, it would be clear to all that if we were willing we were able to protect Canada from all who might attack us, whether they lived far from or near to us. The same words as were used by the hon. gentleman were spoken on the floor of the English House of Commons. It was said: "Canada cannot be defended." Lord PALMERSTON rose in his place and said "Canada cannot be defended! Canada *can* be defended. It is the duty and the interest of this country to protect her colonies." He (Mr. BROUSE) believed that the American nation did not desire, and never would go to war with us. We belonged to the same family, and a war between us would be unnatural. But let us look back to 1812, when the United States, at the dictation of Napoleon, declared war against Great Britain, and 40,000 American soldiers marched to conquor Canada. There were but 80,000 people in Ontario at that time, yet before the year had closed the Canadians had taken Mackenaw, Detroit, Buffalo, Oswego,

Sacketts Harbor and Ogdensburgh, and we held a large portion of their territory in the State of Michigan; and not one single foot of British territory was trodden by an American soldier. Were we not in a better position to-day with England to protect us, than we were then? He was of opinion that we were, and that as long as we had the patriotism of that day—and he felt sure that his hon. friend from South Ontario was nothing lacking in that respect—we would be able to protect our homes and firesides. If we went on progressing in the future as in the past, we would be in a position to hold our own with other nations. But he would never have it said that we were simply vassals of the United States, or any other country, while we had the strong arm of England, and the patriotism of the people to enable us to defend our rights.

Mr. DYMOND said the discussion so far reminded him forcibly of those battles between Arab tribes who fought for a great many hours, made a great deal of noise, but scarcely hurt anybody. At the same time the belligerent tone of his hon. friend on the right (Mr. BROUSE) induced the impression that a peacefully inclined mediator might be of some use. His hon. friend from South Ontario, he hoped, would not be offended if he (Mr. DYMOND) presented himself as an arbitrator upon this occasion, and made a suggestion more consonant with the sentiment prevailing in the House and in the country than that contained in the resolution before the Chair. He was glad to hear his hon. friend at the outset retract the expressions he had used regarding our volunteers. Although in the abstract he (Mr. DYMOND) sympathized very largely with what the hon. gentleman termed his peace principles, he should yet regard it as a great misfortune should he commence a crusade in that direction by insulting a profession which numbered amongst its members some of the noblest spirits that our own or any other country had ever known. There was no doubt that in giving expression to these sentiments his hon. friend was faithfully representing the views of a large number of his constituents. Like himself, (Mr. DYMOND), the hon. gentleman was somewhat indebted to the most peaceful of sects for a seat in this House. It had been truly remarked that men were seldom willing to admit the noble qualities necessary to make up the character of a great soldier, although he hoped that where those qualities existed among the people of this country they might be turned in another direction. Still he could not believe, hold peace principles as he might, that it was the duty of this Parliament—the duty of those who were the conservators of the peace and order of the country—to indulge in abstract arguments or propose abstract resolutions of the nature laid before the House by the hon. member for South Ontario. A word or two with regard to his hon. and belligerent friend from South Grenville. That hon. gentleman had done a gross injustice injustice to two of the greatest statesmen, two of the best men of the age. He (Mr. DYMOND) had read every great speech delivered by Mr. BRIGHT and Mr. COBDEN from 1854 to 1870—Mr. COBDEN having died some three or four years previous to the last mentioned date; and he challenged the hon. gentleman to find a sentence, a word, a phrase in any of those speeches that would justify the assertion that they ever did or said aught that was an injustice to their country, or could be construed into an advocacy of "peace at any price." He could tell the hon. gentleman further, that it was not the teaching of the Peace Society; it was the unprepared condition of England and the demoralization of her army by the influence of the aristocratic classes; it was that millions of money had been uselessly and worse than uselessly spent, that tempted Prussia to try the issue when she did. The reference of his hon. friend to Lord PALMERSTON reminded him that even that most terrible of wars might have been averted if Lord PALMERSTON had not secretly interfered with the negotiations, and so hurried on the bloody and disastrous conflict. But even when men saw that England was being hurried into a war that could hardly redound to her glory, there was no one so base as to stand up and demand that she should bow the knee to any insult. He was aware that a deputation of the character described by his hon. friend from South Grenville went to Russia. Perhaps they were members of the Peace Society, but it was not the Peace Society that sent them. One of those gentlemen, who afterwards became a member of the House of Commons, was HENRY PEASE; another who died, all

men honoring his name, was JOSEPH STURGE; the other was less known to fame but these men went there on their own responsibility alone. They went there to deliver what they believed to be a message from on high, and it ill became his hon. friend, ignorant as he was of the circumstances of the case, to cast a slur on them. The hon. gentleman, he was sure, had not many Quakers in his constituency. With regard to the remark of the hon. member for South Ontario that there never was a good war, he (Mr. DYMOND) supposed there never was a good enemy of mankind. But there was one war within the memory of all us that no human sagacity could have prevented. He alluded to the war in the United States of America. There was in the condition of society there that insidious poison which could not be driven out of the constitution but by that terrible remedy, and whilst he for one regretted as much as any man to see a great civilized community torn by civil commotion, there was the finger of Providence even in that war, until at last amid the crash of arms and the thunder of conflict the dark cloud rolled away from the face of America, and left her a home for freedom forever more. But if war was so bad, why had men rushed into it? Because it was the result of men's evil passions no sentimental influences, no peace resolutions would keep them out of it. There must be something more than mere resolutions, something which England had felt to be better than peace resolutions to avert from Christian communities the horrors of war. In 1851 we saw the great peace gathering in Hyde Park, and fondly believed that peace was perpetual, and then ensued the terrible Crimean war. COBDEN saw it was by practical means alone that war was to be averted. He had already carried the blessings of free trade into the homes of his own countrymen, but it was by the negotiations with France in 1860 which resulted in the establishment of free trade with that country that England secured her freedom from war panics. When he heard these mere abstract resolutions proposed, he turned from them to the splendid effort they had heard that afternoon of the hon. member for North Norfolk, and felt it was from his teachings, and not from those of his venerable friend from South Ontario we were likely to receive the blessings of peace. This was not a time for making free-trade speeches; this was not a time for discussing anything like the details of treaties with foreign countries; but this at least he would say, that whilst it was the duty of the House to consider all that had been said with regard to the benefits that certain interests would derive from free trade with the United States, the great boon to be obtained by that treaty after all was not the growth of manufactures or additional profits in the pockets of our agriculturists, but the establishment of that community of interests between the two countries which would preserve peace to this continent forever. We were favorably situated here for setting an example to Europe of what can be done in that respect, just as Great Britain and France set an example in 1860. He desired that the time might come when all those fiscal barriers might be swept away which were originally established by the perverse ingenuity of statesmen to gratify the ambition and avarice of kings. When he heard, as he had on the floor of that House, that he was a member of the Manchester school, he was proud to think that in advocating the principles of free trade and peace, which was but another name for free trade, on the floor of this Parliament, he was following the footsteps of the great apostle of free trade and peace, who, reviled as he was and as men were in this day by hostile politicians and ambitious, or jealous, or envious opponents, died at last to be mourned by a whole country, while statesmen, the proudest in the land, wept around the bier of one whose life's mission it had been to bring peace to nations and bread to a hungry people. He moved that all the words after "that" in the motion he left out, and the following inserted:—"This House, will at all times be ready to give its best consideration to any practical legislation that may tend to promote international intercourse, and thus, by establishing a community of interests between Canada and foreign states secure the maintainance of peace."

Mr. PLUMB had no doubt the nations of Europe would manifest deep interest when the news was flashed to them across the Atlantic cable that this great dicussion had taken place, and the wisdom of this House had settled the question of

international arbitration. He had no doubt that France who had only been waiting for her revenge, who had been nursing her wrath, would wait to see whether the resolution of the hon. member for South Ontario would pass this House, before deciding whether some kind of international arbitration would not heal the differences between that country and Germany. He had no doubt Russia would pause for a moment and perhaps again invite some peace commissioners to take a peaceful cup of tea, and then go on with her designs as if this motion had never been discussed. It seemed to him that this discussion at the end of the session when there was business to be done, was out of place. He had heard once before that wars were to be no more and that the spirit of the age was such that international conflicts were almost impossible, and yet within the last fifteen years the bloodiest, the most severe, and he might almost say, the most unprovoked wars that had happened within his reading had occurred, and all this since the time when the peace apostles of whom they had heard just now, were proclaiming the principles of free trade and pronouncing that universal brotherhood should prevail. Those apostles proclaimed that nothing was necessary except arbitrations and money awards for those things that money cannot buy, and pay for national honor and national questions which were beyond the reach of anything like the rule of three or arithmetic. He believed that until the arrival of the millenium, when men would cease to be swayed by the same passions as ourselves, all these discussions were a harmless way of ventilating eloquence, and would not make any difference in the price of guns or lower the cost of gunpowder. He thought it would be a perfectly safe speculation to buy anything of that sort, no matter what might be the result of this discussion this evening. At the same time he believed this House was out of order in discussing as a colony, questions which might come very well before the Imperial Parliament, but which could have no weight, whatever way they might be decided in this House. He would therefore vote against the amendment and the original motion.

Right Hon. Sir JOHN MACDONALD said this was an important question and the House had a right to expect to hear from the head of the Government what their policy was. If the motion of the hon. member for South Ontario should be carried, this House would be pledged to address HER MAJESTY on a matter of very great importance. Now, these addresses should only go on subjects of great importance, and should go with all the weight, when they went at all, that the predominance of Parliament could give them, and if possible should go sanctioned by the Ministry of the day who, in great measures, directed the opinion of the House.

Hon. Mr. MACKENZIE said so far as the sentiments propounded by the hon. member for South Ontario were concerned, he entirely concurred in them so far as it was possible to carry them practically into effect. He had no hesitation at all in saying that he believed a great many wars that broke out in the world might be prevented by judicious arbitration, if it were possible to have any sort of an international arbitration court established. The great nations of the earth were jealous of each other, and be feared that a great court of arbitration through their selfishness would practically fail in effect and negotiations for peace would sometimes be provocative of war. He had no doubt, for instance, that if either Russia, Germany, Austria, Italy, France or Great Britain, those great powers of Europe that practically controlled the continent were to be subject to the arbitrament of the others, something would occurr in the affairs or domestic relations of the other five which would seriously affect the justice of the verdict about to be rendered. England felt this with regard to the recent propositions of Russia, and declined to become a party to the negotiations, not that public opinion in England was hostile to international arbitration, but from the inherent difficulties of that system of settling disputes between nations. At the same time he was not prepared to say that it was not competent for this House to raise their voice in favor of any system which would put an end to the fearful sacrifice of human life that took place in great wars. To that extent he sympathized with the hon. member for South Ontario. He (Mr. MACKENZIE) was only sceptical as to the ultimate result of such a court, because the difficulties which national selfishness and

pride would place in the way of its accomplishment. As he had heard an hon. gentleman say privately to-night, suppose two or three nations were appointed to arbitrate in the case of one, and that one were unwilling to accede to the verdict, how would that nation be forced to submit? Would the three nations pound that one into submission? That would be something like war itself. The hon. member for South Ontario had not quoted anything from the discussion in the House of Commons, of England, where a resolution almost similar to his own was carried with the approval of Mr. GLADSTONE, although Mr. GLADSTONE expressed himself as doubtful of any results being accomplished by it. Now, he did not think it would do any great harm supposing this House were to adopt this resolution in favor of establishing a court of that kind. It would not indicate anything else than a desire, so far as an expression of the opinion of this House was concerned to obtain some other mode for the settlement of national difficulties than an appeal to the sword. He did not suppose it would have had any very serious effect upon national affairs were this House even to pass this resolution. He recollected having been very much impressed with the statement put into the GOVERNOR'S speech by the right hon. gentleman opposite a few years ago, that peaceful relations existed with the nations around us, but the pacific policy of the Dominion and the assurance that Canada was at peace with the neighboring nations had no effect in Europe, for in the course of a few months war broke out between France and Germany. He was afraid that any resolutions passed by this Parliament would have practically as little effect in the great council of nations, but at the same time it might not be at all wrong for this House to give expression to their opinion upon the subject. Although we are comparatively small as to population, we have a large area of country that we expect will be settled by a very powerful coummunity at no distant day, and that we will be able to exercise more influence than we can at present. He did not suppose the hon. member for South Ontario desired to do anything more than to bring up this subject for discussion, and that he had no desire to press his motion to a division, but having been taunted with reference to his speech on the militia estimates, he had brought up this resolution in order to give his own views as to national disputes and national arbitration and to place his views permanently on record. The country would understand that the hon. gentleman's views were not dictated from a spirit of meagre selfishness, or from any mere desire to save money, but rather to divert money into a better channel than an expenditure for warlike purposes. He hoped the hon. member would withdraw his motion, and that the amendment would also be dropped.

In accordance with this suggestion, the motion and the amendment to it were withdrawn.

DIVORCE COURT.

Mr. DECOSMOS moved the following resolution :—"That the practice of granting divorces by Act of Parliament is, for many reasons objectionable, and that relief in all matters matrimonial would be best secured by creating a Court in each of the Provinces, with exclusive jurisdiction in matters matrimonial, and with authority, in certain cases, to decree a dissolution of marriage." He said that he was aware that a large portion of the members of the House entertained conscientious objections to divorce; and other members held the opinion that marriage was but a legal relation, and that we had the right to sever that relation if need be. His opinion was that the mariage relation was of a sacred character, and that it should be interfered with by a court, such as the high court of Parliament, except so far as to establish a law which might be administered by the Judges. During the Parliamentary sessions he had seen hon. members canvassed to vote for and against a Divorce Bill, and in nine cases out of ten, the members when they made promises had never read over the evidence, but merely formed their opinion on the report to the House. With respect to the right of divorce, it was acknowledged that the Canadian Parliament had granted divorces during former sessions, and was about to grant a divorce during the present session. In Nova Scotia, New Brunswick and Prince Edward Island they had divorce laws and divorce courts. British Columbia had a divorce law, but he was not aware that there was any machinery to carry it out, and he thought that the Provincial Legislatures had the right to

create a divorce court, having a law on their statute book. The Provinces of Ontario, Quebec and Manitoba had no divorce laws or courts, and the same would apply to the North-West Territories. There being already, as he had pointed out, divorce courts in the Eastern Provinces of the Dominion, and Parliament having the right to pass a divorce law and grant divorces, he held that Parliament should enact a law to establish divorce courts for those Provinces where they did not exist. Up to 1857 there was no divorce law in England. In that year the law was enacted creating a court for matrimonial causes and divorce, since which time the law had been amended session after session, and there were no serious complaints as to the operation of the law. He would be perfectly satisfied if the Imperial statute, modified to meet our necessities, were adopted. He thought the cost of working the courts would not be very heavy, if the system adopted in Nova Scotia and P. E. Island were followed.

Hon. Mr. HOLTON thought the motion was out of order, because it might involve the expenditure of money.

Mr. SPEAKER ruled that the motion was in order, because it only sought to assert an abstract principle.

Mr. BECHARD moved in amendment that all divorce courts existing in the Dominion be abolished.

Hon. Mr. MACKENZIE hoped the hon. member would not move that motion, because we had no power to abolish courts within the different Provinces. He would ask the hon. member for Victoria whether under the circumstances it would be desirable to ask the House to express its opinion on the resolution. It might be that the resolution only sought to lay down an abstract proposition ; but it also proposed to establish a court which a large number of persons were opposed to ; and although he had personally no objection to the establishment of such courts, he at the same time did not desire to afford additional facilities for obtaining divorces. But the question at the present time was as to whether any useful purpose would be served by moving a motion of this kind as the House was not discussing any subject cognate to it, and as the hon. gentleman would not obtain an expression of opinion in favor of the establishment of such a court he hoped the resolution would be withdrawn.

Sir JOHN A. MACDONALD said the motion was quite in order as it asked the House to express its opinion on a grave question of public policy. If the resolutions were adopted, the Government would have to consider what was the effect of the motion when carried. This was one of the many subjects which Parliament was authorized to discuss. So far as his own personal opinion was concerned, he would vote against the resolution, for there was no reason why we should establish courts of divorce in Canada. While he would not go as far as the hon. members from Lower Canada, and declare that divorces should not be granted under any circumstances, he thought there should be no encouragement given their procurement. The present law was sufficient for all purposes. If a party established in a court of law, in a manner that was satisfactory to the court, that he had been wronged, he had a right to apply to Parliament. Happily, as yet we had very few of those applications, and the time spent in legislating for the relief of these applicants was well spent if we could avoid the creation of a divorce court. Amongst the moral triumphs which Mr. GLADSTONE had achieved there was none so great as his defeat when he protested against the establishment of a divorce court in England, which had not been productive of any beneficial effects. It was well known that cases of almost collusion occurred every day ; and arrangements were made between husband and wife so as to permit a separation or a termination of the marriage But in England there was a reason for the establishment of a court which did not exist here, and that was the enormous expense of obtaining a Private Bill for divorce, and getting it through Parliament. In this country, however, the expense of going through the courts was simply the cost of a suit before an ordinary tribunal, which involved no very large expense ; and they all knew how small the expense was of passing a Bill through the Canadian Parliament. While divorce was not prohibited in Canada, and while parties to domestic misery and unhappiness might obtain relief, nevertheless under the present system no encouragement was given to those cases, and he would be very sorry to see any tribunal established which might be

the means of inviting other dissatisfied couples to apply for a divorce.

Hon. Mr. CAUCHON said that divorce was now a social disease, but if we established a Divorce Court, as they had in England and the United States, it would prove a social epidemic. There was nothing so inviting as a court of that kind for people, first, to marry without any consideration or reflection, and, second, to procure a divorce at leisure. There was divorce in the Roman Law, but it was not in accord with the feelings of the people, and was not during a long period carried into effect; but after the first case, it spread like an epidemic, and the consequences in Italy, the United States and England were very well known. He did not consider the subject from a religious but from a social point of view. When BONAPARTE established the Code Napoleon, he pronounced, after a long discussion, in favor of divorce. But in 1816 CHATEAUBRIAND, the eminent writer, who was at that time Minister of the Crown, succeeded in abolishing divorce and establishing the old law, not on religious but on purely social considerations, and after that the question was tried in the legislative body of France under LOUIS PHILIPPE three times. On the two first occasions a proposition to reverse the law was carried in the Lower House by an overwhelming majority, but it was rejected by the House of Peers, simply on social considerations. In 1843 or 1844 the question was again brought up before the legislative body, and upon the simple considerations he had mentioned was rejected by an overwhelming majority, and was never tried again. Its adoption now would result in a greater evil than the social evil, and he hoped the question would never be brought up again.

Mr. DECOSMOS said he thought it ought to be the duty of the Government to take the necessary steps on the establishment of a Divorce Court, and not have questions coming before this House so often in the shape of applications for divorce to the annoyance ofall. He thought there was a real feeling in the country that there should be a divorce law, as the present was very expensive.

Hon. Mr. MACKENZIE said so far as public opinion was concerned it was not demanding anything of the kind; and he should vote against the motion as at present unneccessary.

The question being put,—a point of order was raised and discussed as to whether the motion should not be declared lost on division, and as to the calling yeas and nays,

Mr. SPEAKER said that upon division the yeas and nays need not be taken unless demanded by five members.

The question being put,—a brief discussion took place on the point of order as to whether the five members who called for a division should not be held to vote nay.

The House divided as follows :—

YEAS :

Messieurs

Borron, DeCosmos, Laird, Shibley, Thompson (*Cariboo*) 5.

NAYS :

Messieurs

Aylmer, Baby, Bain, Barthe, Béchard, Bernier, Bertram, Biggar, Blackburn, Blake, Borden, Bourassa, Bowell, Bowman, Brooks, Brown, Buell, Burk, Burpee (*St. John*), Caron, Cartwright, Casey, Casgrain, Cauchon, Charlton, Cheval, Church, Cimon, Cockburn, Coffin, Costigan, Coupal, Cunningham, Cushing, Cuthbert, Delorme, Desjardins, De St. Georges. Donahue, Dugas, Dymond, Farrow, Jodoin, Jones, (*Hafax*), Jones (*Leeds*), Kerr, Kirkpatrick, Laflamme, Lajoie, Landerkin, Langlois, Lanthier, Laurier, Macdonald (*Cornwall*), Macdonald (*Glengarry*), Macdonald (*Kingston*), McDonald (*Cape Breton*) MacDonnell (*Inverness*), Macdougall (*Elgin*), McDougall (*Renfrew*), McKay (*Colchester*), Mackenzie, (*Lambton*) Maclennan, McCallum, McCraney, McGregor, McIntyre, McIsaac, Mills, Moffat, Monteith, Montplaisir, Moss, Mousseau, Norris, Oliver, Orton, Ouimet, Paterson, Pelletier, Perry, Pettes, Plumb, Pouliot,

Fiset,	Pozer,
Fleming,	Richard,
Flesher,	Robitaille,
Flynn,	Ross (*Durham*),
Forbes,	Ross (*Middlesex*),
Fournier,	Ross (*Prince Edward*),
Frechette,	Rouleau,
Galbraith,	Scriver,
Gaudet,	Sinclair,
Geoffrion,	Skinner,
Gibson,	Smith (*Peel*),
Gill,	Stirton,
Gillies,	St. Jean,
Gillmor,	Taschereau,
Gordon,	Thibaudeau,
Goudge,	Thompson (*Haldimand*),
Hagar,	Tremblay,
Hall,	Trow,
Harwood,	Vail,
Holton,	Wallace (*Norfolk*),
Horton,	White,
Huntington,	Wilkes,
Hurteau,	Wood,
Irving,	Wright (*Ottawa*),
Jetté,	Yeo—134,

Hon. Mr. MACKENZIE said that in order to have a point settled that was not thoroughly understood he would have the matter tested. He observed the hon. members for Nicolet and North Perth had called for a division against the decision of Mr. SPEAKER (that the ayes have it) and he therefore proposed that their names should be entered as voting for the motion.

Mr. SPEAKER read (May, p. 271) "It must be well understood by members that their opinion is to be collected from their voices in the House, and not merely by a division; and that if their voices and their votes should be at variance, the former will be held more binding than the latter;" and said if he had observed or had learned on the statement of any hon. member that when the question was put an hon. member had said "aye" he should certainly have the vote called "aye"; but the mere fact that he had called for a division was not to be regarded as deciding the vote, as the rule did not say that the five members calling for a division were to be on one side or the other. The 128th rule of the House of Commons put the case in an entirely different position. After the SPEAKER had declared that the "noes" have it then those who differed from him called for a division, and the division must be had. Our rule did not say that; but that any five members may call for a division, and an entering of the names. He thought the Canadian rule was positive, and that he could not enter the names.

Mr. Speaker.

On motion of Hon. Mr. MACKENZIE the House adjourned at 11 o'clock, p. m.

HOUSE OF COMMONS,

Tuesday, March 23rd, 1875.

The SPEAKER took the chair at three o'clock.

QUEBEC GRAVING DOCK.

Hon. Mr. MACKENZIE asked leave to introduce a Bill respecting the Graving Dock in the Harbor of Quebec, and authorizing the raising of a loan in respect thereof. He said this was simply an act to enable the Government to borrow money for the purpose of loaning the same to the Harbor Commissioners of Quebec for the purpose of building a graving dock and providing means for the payment of interest upon that money by the Harbor Commissioners, and the creation of a Sinking Fund for the extinction of that loan.

The Bill was read a first time.

QUESTIONS OF PRIVILEGE.

Mr. DEVLIN begged leave to offer a few words in explanation of a statement made by him in this House a few evenings ago. Before doing so, he would read the following article which appeard in the Montreal *Gazette* of the 16th inst. :—

"The Ottawa correspondent of *Le Nouveau Monde* has the following on Mr. DEVLIN'S sudden desertion of Mr. COSTIGAN on the School question and his assertion that Bishop SWEENEY approved of the amendments:—'Mr. DEVLIN, the Catholic representative who almost threatened the Government with a revolution if they did not grant full and entire justice to his co-religionists, came forward, and in the most abject manner swallowed his own words and abandoned the cause he had espoused to follow the Government. Not satisfied with this, he had the audacity to bolster up the new position he had taken by a deliberate falsehood. He stated that he had the approval of His Lordship Bishop SWEENEY in voting as he did, and this I know personally is false.'"

That statement came from a correspondent in this city, and as his (Mr. DEVLIN'S) veracity had thus been publicly impugned, he felt it to be his duty to avail himself of his position to state that every word he had uttered upon the occasion to which this correspondent referred was absolutely true, and in confirmation of the truth of this assertion, he referred to the four Irish

Catholic members from the Lower Provinces who were present when His Lordship Bishop SWEENEY advised his friends to support the amendment to be proposed by the hon. member for Quebec. Having been publicly accused of a falsehood, and it having been publicly stated that he had availed himself of his position in this House that which was untrue, he owed it to himself and to this House to make this statement, and to defy any gentleman within its walls or outside of it to contradict that statement and support his contradiction by reliable evidence. The statement in the *Nouveau Monde* was an odious falsehood from the beginning to the end of it, and so were all the statements that had been made against him in connection with his vote on that occasion. An attempt was being made to write him down in the newspapers of this country, because he discharged his duty honestly and conscientiously. He would add no more, except to say that the hon. member for Hochelaga, who held a seat in this House, was the editor of the paper in which this falsehood appeared.

Mr. BABY said it was customary on such occasions as this for hon. gentlemen to wait till the member thus attacked was present in the House to defend himself.

Dr. DEVLIN said the correspondent did not wait before attacking him.

Mr. COSTIGAN could not agree with the hon. member for Montreal Centre, when he knew that in the public prints, and in this House, there were two versions of this transaction. The hon. gentleman had affirmed one thing very positively, and the House was requested to believe on the other hand that the statement which appeared in the *Nouveau Monde* was correct. He (Mr. COSTIGAN) had expected that the hon. member would bring some proof of what he had affirmed, but it was merely a re-affirmation of his former statement, and challenged any one in this House to disprove it. Now, he (Mr. COSTIGAN) believed every word in that article to be true, and he must continue to believe it to be true until the hon. member produced better proof to the contrary than the mere assertion of an individual member of this House. He was convinced that the statement was well-founded, and he could not believe that the hon. member for Montreal Centre was ever authorized to use Bishop SWEENEY'S name as he had done in this House, until he saw the statement of Bishop SWEENEY to that effect in his own hand-writing.

Mr. DEVLIN said the hon. members for Halifax, Richmond, Antigonish, and another hon. gentleman whose name or constituency he had forgotten were present at the conversation he had referred to, and he appealed to them to stand up in the House now and defend the man whom they knew had acted with them conscientiously and faithfully.

Mr. POWER said he would just merely state that he then believed and still believed that we had the concurrence of His Lordship (Bishop SWEENEY) in the course we took in the question referred to.

Mr. FLYNN said he would have preferred that the matter had not been brought up, but being called upon by the hon. member for Montreal Centre, it was due that hon. gentleman and to himself that he should state what he knew in the matter. From the Monday to the Wednesday of the week when the resolutions were before the House and were disposed of, he and the hon. members for Montreal Centre, for Halifax, for Antigonish, and from Prince Edward Island (he had forgotten the name of the riding) frequently met together to look the matter over, and frequently met His Lordship Bishop SWEENEY. On the last occasion of meeting the hon. member for Montreal Centre expressed his desire simply to vote in this House as His Lordship wished; but at the same time he advised that the amendment about to be moved by the hon. member for Quebec Centre was the best mode of dealing with the matter in the interests of those who sought redress for their grievances. He (Mr. FLYNN) might say this much that His Lordship did not appear altogether satisfied with the resolution, but at the same time expressed in his (Mr. POWER'S) presence the belief that the best thing the hon. member for Montreal Centre could do was to vote for that amendment; and when they left His Lordship in the library about five or six o'clock in the afternoon it was with the distinct understanding that they were to vote for the amendment proposed by the hon. member for Quebec Centre. That was the impression upon his mind and it would always, be the impression. He (Mr. FLYNN) would have voted for the

amendment no matter what influences might have been brought to bear upon him to vote another way.

Mr. DEVLIN—I call upon the other two hon. members who were then present, —if they are in the House—to express their opinion on this subject.

SEVERAL HON. MEMBERS—That is enough.

M. DESJARDINS :—Je regrette beaucoup de ne pas avoir été présent, en Chambre, il y a quelques instants, lorsque le membre pour Montréal Centre a cru devoir faire allusion à un sujet qu'il avait pourtant tout intérêt à laisser dans l'oubli. A moins de croire que Sa Grandeur l'Evêque de St. Jean, ait voulu mettre les Catholiques de cette Chambre sous une fausse impression, il est impossible de ne pas dire que l'assertion du député de Montréal Centre est tout-à-fait dénué de fondement. Ce qui vient d'être dit d'ailleurs prouve qu'il n'était pas autorisé à faire l'avancé qu'il a fait l'autre jour dans cette Chambre. Le député de Richmond dit que Sa Grandeur a accepté l'amendement du député de Québec Centre, mais il n'ajoute pas Sa Grandeur a accepté également l'amendement du député de Québec Centre comme ajouté à celui de l'hon. Premier. Personne ne peut prouver que Sa Grandeur ait approuvé les deux amendements joints ensemble. Le dénégation publiée dans les journiaux est parfaitement établie par les déclarations de Sa Grandeur. Il est étonnant que le député de Montréal Centre, après avoir si pompeusement promis une preuve directe de Sa Grandeur, vienne comme un écolier pris en flagrant délit, sans autre autorité cette fois encore, que sa propre parole, essayer de redonner du crédit à sa première affirmation puis appeler des témoins pour essayer de donner le change sur la véritable nature des faits. Je sais que le député de Terrebonne a été autorisé à nier la vérité de la déclaration du député de Montréal Centre à la séance même où il'a faite, par un homme qui avait suivi les négociations avec les députés catholiques d'un côté et Sa Grandeur Mgr. SWEENEY de l'autre et qui savait au juste tout ce que qui s'était passé. Personnellement, je sais que Sa Grandeur était opposée à l'amendement et au sous-amendement, greffés ensemble, car j'ai moi-même entendu Sa Grandeur deux fois exprimer son dissentiment dans l'après-midi même qui a précédé la séance où le vote fut pris sur cette question. Naturellement, la question en est devenue une de véracité entre le député de Montréal Centre et moi-même. Mais je ne crains pas de soumettre à l'épreuve la position que j'ai prise, et si cette preuve écrites promise par le député de Montréal Centre vient un jour ou l'autre, je sais bien que ce n'est pas moi qui aurai à m'en plaindre.

Mr. BECHARD said as the hon. member for Montreal Centre had called upon those who were present at these interviews to state their opinions, and as he was present he would state what he understood. It was stated to His Lordship what were the bearings of the amendment that would be likely to be offered by the Government to the resolution of the hon. member for Victoria, and they also explained the bearings of the supplement proposed by the hon. member for Quebec Centre. He understood His Lordship to say that he could not give a definite opinion, as he had not had an opportunity of reading those amendments, but he said "If you think that by voting for this amendment you do not bind yourselves to the future, that your vote will not pledge your future conduct should the question be brought up again in the House, then I would accept it." That was how he (Mr. BECHARD) understood the matter; and he remembered that he had stated that on his part he would vote for the amendment, and that he intended to reserve his free action for the future.

Mr. COSTIGAN said it was unfortunate the matter had come up, but as reference had been made to meetings where he was present, he thought he should give his view of the discussion.

Hon. Mr. HOLTON raised a point of order, and called for the question before the Chair. These personal explanations were admissible to a certain point, but they could not admit that hon. gentlemen should address the House two or three times without any motion before the Chair. The hon. gentleman who had taken his seat (Mr. COSTIGAN) had already spoken relative to the personal explanation of the hon member for Montreal Centre.

Sir JOHN A. MACDONALD said he was very sorry the hon. member (Mr. HOLTON) had interfered in this matter. It was quite true there was no motion before the chair; but the matter before the House affected the personal honor and veracity

of the hon. member for Montreal Centre, and as particular statements had since been made respecting particular persons and circumstances, he considered the hon. member for Victoria should be allowed to state his view of the matter.

Hon. Mr. HOLTON said he was quite willing to take the responsibility of enforcing the rules, and to assume the odium or credit of such a motion.

Mr. SPEAKER said his impression was that the proper course under the circumstances was to restrict the hon. gentleman strictly to an explanation of any matter that had arisen out of the statements made by the other gentlemen, and not to allow anything approaching a controversy. He should simply make a statement, but not controversial in its character.

Mr. COSTIGAN said the statement made by the hon. member was generally correct, but there was a difference, and it was a grave one between them, and he (Mr. COSTIGAN) explained it in this way. The hon. member stated that the hon. member for Montreal Centre and other hon. members had an interview with His Lordship, at which the hon. member himself was present, and it was then stated that a motion would be made in amendment to his (Mr. COSTIGAN'S) motion in a sense that an address would be presented to HER MAJESTY asking for modifications of the school law, which should not, however, change the constitution. It was stated that His Lordship had said he would be willing to accept the amendment if it did not bind hon. gentlemen in their future conduct, but His Lordship was informed that 106 members were pledged in writing to support the amendment, and therefore it was no longer a matter of choice.

Mr. DOMVILLE desired, before the Orders of the Day were taken up, to call attention to what he considered to be a breach of privilege. The morning papers were placed in his hand at Toronto, and in them he found, under the proceedings at Ottawa, a report from the sub-committee appointed to investigate the transactions of FRAZER, REYNOLD'S & CO. It stated that the sub-committee had met that morning to consider their report, and that they had adopted the report on the motion of Mr. DYMOND, seconded by Mr. GOUDGE, which report was adopted. The signitures of five members of the committee were attached to it, and it concluded by saying that "the remaining two members Messrs. PLUMB and DOMVILLE, were not present." He complained that the sub-committee having adopted a report at a meeting when he was unable to be present to sign and concur in it, or otherwise, had allowed the report to be published before he and the hon. member for Niagara were able to attend and prepare a minority report. The sub-committee's report had not even been presented to the Committee of Public Accounts and adopted by them before it was published in the newspapers. He desired an expression of opinion from the House as to whether such action was proper.

Sir JOHN MACDONALD said it was undoubtedly a breach of privilege and contrary to the usual Parliamentary practice, that a report of a sub-commitee which was made to the committee should be sent to the press before it was even submitted to the committee. It was even a breach of privilege to publish a report before it was submitted to the House.

Mr. DYMOND said as it had been imputed by the right hon. gentleman opposite that the sub-committee was responsible for the report having been sent to the papers, he would take steps which he otherwise would not have done, presuming that the hon. member for Kings would have been satisfied with having called the attention of the House to the matter. As it was not his practice to allow others to suffer from an imputation which did not belong to them, he would take the whole responsibility on himself of the report having beeen communicated to the Press, and the House would indulge him, as it was considered a gross breach of privilege, if before he submitted himself to its decision, if a decision were asked, he made a brief statement of the circumstances under which it had occurred. The committee, of which the hon. member for Kings and himself were members, whose meetings they had attended together with the exception of last Friday and Saturday, had been held with open doors. Reporters had attended, and such reports as they, in their discretion, thought proper to prepare had appeared in the Press throughout the Dominion. On Tuesday last they concluded the reception of evidence and decided to meet on Friday, in order to agree on the report, with the understand-

ing that if between Tuesday and Friday no fresh matter presented itself no other meeting would be held. To all intents and purposes it was decided that Friday should see the end of their deliberations. He undertook, at the request, of hon. members who agreed with himself pretty much on the evidence, to draw up and present a draft report to that meeting. They learned with regret before that meeting was held on Friday, that the hon. member for Kings was confined to his house of indisposition. The hon. member for Niagara was present during a part of their deliberations, and that hon. member read over the report and without for one moment asking him to commit himself to that report, he (Mr. DYMOND) might say that he gave a qualified assent to its substance, at the same time expressing a desire, as he had not been present at many of the meetings to have an opportunity of conversing with the hon. member for Kings, who had been present before he gave his final assent to that report, with a modification of it. Let it, however, be distinctly understood that he did not hold the hon. member for Niagara to anything that took place in a very informal conversation on that occasion. Reporters, or a reporter, was certainly present when the report was read over and when it was discussed. There was not, therefore, any possible reason whatever why a report as nearly verbatim as that gentleman could have taken down or a summary of a report should not have appeared in the papers on Saturday morning. In order that the hon. member for Kings might have an opportunity of expressing his opinion on any point which he might desire, he (Mr. DYMOND) caused a copy of the report to be sent to him with a letter stating that the committee had adjourned to Saturday, and inviting him to make any marginal notes which might assist them in making any correction which might be thought proper. Before sending that to the hon. member, he also modified the draft in the sense suggested by the hon. member for Niagara. He hoped, therefore, that when the committee met on Saturday that the report would have been an unanimous one. The committee met by notice at eleven o'clock on Saturday morning and five members were present, all of whom were acquainted with the contents of the report, and they decided, then and there to adopt it. Four members forming quorum, a therefore, to all intents and purposes, the report was the report of the Committee of Investigation—it not being, he believed, the rule that a committee should sit merely to accommodate absent members, although courtesy demanded that hon. members should be accommodated as far as possible. The reason for pressing the matter to a conclusion on Saturday was this: They understood that the Committee of Public Accounts would be called on Monday, and they felt that as the matter was one affecting the personal character as well as the political conduct of certain members of the House in relation to the manager ment of a Nova Scotia railway, the report ought to be presented to the committee at the earliest possible moment. Reporters were present in the committee room on Saturday, and when the proceedings were concluded one of them asked me whether he would be allowed to copy the report. That gentleman was connected with a paper with which he (Mr. DYMOND) was by no means in political accord. He gave that gentleman a copy of the report with the understanding, of course, that it would be open equally to any other member of the Press, and he did so with a conviction in his mind that almost simultaneous with the appearance of the report in the Toronto and Montreal papers the Public Accounts Committee would be in session, when the report would be again read over in a public meeting, and the reporters would have an opportunity of taking it down. If he had committed any outrage or breach of privilege, or done any wrong to members of the Opposition, he expressed his profound regret therefor; but he believed that the course he had adopted was one which was not unjust, but might be productive of advantages. He would ask hon. members whether after the facts of the case had been before the country for upwards of a year, after the committee had sat day by day, and taken much evidence which had been daily published, it was an offence to allow an abstract thereof, with one or two expressions of opinion added, to go to the public when five members attached their signatures thereto, and assumed all the responsibility of the report. He would further add, that learning that the hon. member

for Kings was dissatisfied, the committee met that day, although they had no right, he believed, according to Parliamentary usage, to do so, to give the hon. member for Kings and the hon. member for Niagara an opportunity of recording their protest. He had not anticipated, after what had taken place in the committee room, that they would have felt aggrieved, and he had yet to learn that any other person felt aggrieved in regard to the matter.

Mr. PLUMB said that as his name had been mentioned in connection with the committee he felt it due to himself and to the member for Kings that he should make some statement in respect to the subject before the House. He had been absent from the city during six or seven days, and during the time of his absence the member for Kings had been engaged with the member for North York in investigating some of the accounts in connection with the transactions which the committee were appointed to examine. The hon. member for Kings understood more fully some of the important points upon which the investigation was likely to turn than himself. When he returned to the city he found that the committee had closed the examination of witnesses, concluded their investigation, and had drawn up a report. That report was submitted to him when the hon. member was confined to his house by serious illness. He (Mr. PLUMB) stated then that the report was not drawn up in a form which he could agree to. He said that at the outset, and he had thought it might possibly be modified, but he saw that it would be necessary to make very material modifications in it, as its whole tone and spirit appeared objectionable. However, he wished to consult the hon. member for Kings in regard to it. The meeting on Friday was held in a different room from that in which the meeting usually assembled, and although he came to the House with the intention of attending it, he failed to find the committee. He did not conceive from what had passed at the previous meeting that there was any immediate and pressing haste in preparing a report. He knew that the committee had been very earnest in their investigations, and had transacted a very large amount of business, and it was unnecessary to hurry the preparation of the report. He was, therefore, very much surprised afterwards to learn what had been done. It was obviously quite impossible that the hon. member for Kings and himself could properly consider the report unless they met the committee and discussed it in open session. There were some matters connected with the investigation of great importance, and he was bound to say that when he found that a report had been adopted and also gone into the public prints, whereby he and the hon. member for Kings were left in the position of appearing as if they had not attended the committee, he felt that undue haste had been used, even if it was proper under the circumstances to lay such a report before the public, before it was submitted to the body of which the committee was a constituted part. He felt, too, that under the circumstances it was due to the hon. member for Kings to state that his illness was of such a nature that he could not have attended some of the sessions of the committee, and he believed it was so understood by hon. members, and it would have been only due to him that some little delay should have been given so as to allow him an opportunity of attending. So far as the report was concerned it was not such, either in spirit or character as he could approve of.

Sir JOHN A. MACDONALD said the hon. member for North York had come forward in a very confident spirit and assumed the responsibility of the publication of the report. When he (Sir JOHN) offered his remarks he did not charge that hon. member or any member of the sub-committee with doing anything wilfully wrong or desiring to injure any one, or to commit a breach of the rules. He did not know that any one would suffer, or that any one would be subjected to a grevious injury by the premature publication of the report, but its publication under the circumstances was certainly contrary to the rules of the House and to its practice. His experience had been that those rules which were the production of the wisdom of ages, had always been framed for a good purpose, and although they had been set aside sometimes, yet their wisdom sooner or later became apparent.

Hon. Mr. MACKENZIE said the views expressed by the hon. member for Kingston were undoubtedly correct, but the committeed had debarred itself from any complaint in the matter by admitting reporters and allowing the evidence sub-

mitted to be published day by day without any objection being raised.

Mr. KIRKPATRICK remarked that the report of the committee was a different thing.

Hon. Mr. MACKENZIE did not take that view. Both the publication of the proceedings and of the report was irregular. The rule was that evidence taken by a select committee should be privileged, and that documents ought not to be published by any member of the committee; but when the committee deliberately depart from that rule and allow the evidence to be published daily, it was no longer open to them to complain of breach of privilege. For his own part he had not seen the evidence or the report.

Mr. DOMVILLE said he never gave any reporter permission to publish this report. The report, he contended, went beyond the evidence.

Mr. DYMOND rose to a question of order. The hon. member for Kings was proceeding to discuss the report, and of course if he were permitted to do so some one would have to reply to him. It was not competent for the hon. member to discuss the report at this stage.

Mr. KIRKPATRICK said the Premier, in his statement of the rule, had not gone far enough. According to MAY, the publication of the report of a committee before it had been presented to the House was a breach of privilege. He quoted from that authority the statement of a case in which a Dublin newspaper publisher, who had published in his journal the draft report of a committee, and who on being questioned admitted the publication, but refused to state from what source the report was received, was committed to the custody of the Sergeant-at-Arms. He did not propose to go so far as that, but he thought the House should have a ruling from Mr. Speaker as to whether these reports could be published. In this case it was not a mere summary, but the full official text of the report.

Hon. Mr. HOLTON said it was impossible to have a ruling, as there was nothing before the Chair.

The Orders of the Day were then called.

CULLING OF TIMBER.

Hon. Mr. GEOFFRION moved the third reading of the Bill to amend the Act respecting the Culling of Timber.

M. CIMON: — Avant la 3me lecture de ce Bill, j'aimerais à demander à M. le Ministre du Revenu de l'Intérieur ce qu'il entend faire au sujet de l'inspection du bois à l'Est de l'Ile d'Orléans. A la 2me lecture l'hon. ministre a demandé son Bill en faisant disparaître la 4me sous-section de la Section 46 du Chap. 46 des Statuts Refondus du Canada. C'était précisément cette partie du Statut qui a toujours exempté tous ceux situés à l'est de l'Ile d'Orléans de l'opération de la loi. Je lui avais fait demander par le député de Northumberland si l'intention de rendre obligatoire, de faire inspecter et marquer le bois dans cette partie du pays à l'Est de l'Ile d'Orléane. L'hon. Ministre a répondu que ce n'était que dans le cas où il y aurait des difficultés entre le vendeur et l'acheteur. C'était fort bien. Mais plus tard, en examinant le Bill, je me suis aperçu que le Bill rendait pour plusieurs personnes la chose compulsoire. Quels sont ceux qui sont exemptés? Il n'y a que ceux qui sont de bonne foi producteur ou qui ont de bonne foi manufacturé ce bois, qui peuvent l'exporter par l'océan sans avoir rncours à un officier du Gouvernement. Par exemple, dans le comté que je représente, il y a des commerçants qui font chaque saison quelques milles de madriers, qu'ils vendent à la maison Price. La raison pour laquelle ce bois n'a jamais été inspecté, c'est qu'il était impossible d'avoir, sans exposer les bâtiments à des retards assez longs, dues *cullers*, surtout à une si grande distance de Québec; les retards étaient trop longs. Le député de Charlevoix est intéressé non pour lui-même, mais pour ses constituants, comme je le suis moi-même pour le comté que je représente, à ne pas obliger ces commerçants à faire inspecter ces bois et j'espère qu'il se joindra à moi dans cette occasion pour obtenir l'objet de ma demande.

L'hon. M. CAUCHON :—L'hon. membre croit-il que des exceptions doivent être faites partout où le même cas se présente? L'hon. membre a l'air de travailler pour un tel ou un tel, tandis qu' il s'agit ici de travailler pour tout le monde, et s'abstenir de faire de législation exceptionnelle.

M. CIMON :—L'hon. membre est lui-même un sujet d'exceptions, et il a soutenu les Gouvernements d'une manière peu exceptionnelle. Ce n'est pas dans l'intérêt de la maison Price, mais dans l'intérêt public, dans l'intérêt des petits commer-

çants dont j'ai parlé, qu je demande au Ministre de l'Intérieur de retrancher de la loi l'obligation de faire mesurer leur bois. Car ce sont eux qui subissent le préjudice ; ce sont eux qui seront retardés par les inspecteurs et qui souffriront si leur bois ne peut être mesuré et livré à temps à la maison Price pour être exporté. L'hon. député de Québec Centre n'a pas le droit de suspecter l'intention des jeunes membres.

L'hon. M. CAUCHON : — Oui bien jeune !

M. CIMON :—Car je pourrais dire que plusieurs jeunes membres en le voyant dans cette Chambre pourraient être justifiables de travailler pour un intérêt particulier.

L'hon. M. CAUCHON :—L'hon. député est trop sensible, on dirait qu'il se sent coupable. Je ne dis pas qu'il travaille pour ceux qui l'ont élu ou qu'il est intéressé. Mais je dis qu'on ne peut faire une législation différente pour chaque endroit ; une législation pour Montréal, une législation pour Ottawa, enfin une législation pour toutes les parties du pays où il se fait du bois, car il y a des petits commerçants de bois dans chaque endroit. On ne peut pas faire de législation exceptionnelle. Du reste, la loi n'est pas obligatoire. Elle l'est seulement quand l'acheteur l'exige. Il serait bon que dans tous les cas l'inspection fût faite, afin d'éviter les résultats qui proviennent de la pratique contraire.

Mr. McDOUGALL (South Renfrew) moved that the Bill be not now read a third time but that it be re-committed for the purpose of amending the 6th clause by inserting the word "fees" after "salaries" and erasing all the clause after "proper." This amendment, he said, was not all that the lumbermen desired, but, at the same time they thought it was not too much to ask the Government to accept it. They believed the Government should not commit themselves to pay fixed salaries, so that between this time and the season for culling lumber, they could consider the matter before deciding whether to pay the cullers fees or salaries. He agreed with the general provisions of the Bill, and he believed that it was important to the lumbermen that it should not be thrown out.

Mr. GEOFFRION had no objection to accepting this amendment.

Mr. CURRIER approved of the clauses bringing this office under the immediate control of the Inland Revenue Department. He maintained that it should be the privilege of the lumbermen since they had to bear the expense, to have something to say as to the mode of paying the cullers, and the footing on which they should be placed. The very worst mode of paying them was by salary. Hitherto they had been paid by fees, but there was the objectionable rotary system. This should be done away with and the men should be paid by fees.

Mr. ROCHESTER said this Cullers' Office was established in order that both buyer and seller might have equal justice done them in the Quebec market. It was not intended that the Government should derive any revenue from the office, but simply that the lumbermen should pay the cost of culling. That being the case he did not see why the Government should insist on paying them by salary instead of by fees. If paid by salary, the men would no doubt, have regular working hours ; if paid by fees, they would work early in the morning and late in the evening, resting during the heat of the day, and would thus be able to do their work more efficiently. He wished to know if clause 8 referred to sawn lumber as well as to deals.

Hon. Mr. GEOFFRION said it was the 24th clause of the Consolidated Statute of Canada, and if sawn lumber did not come under that, clause 8 would have no reference to it.

Hon. Mr. MITCHELL said as deals were mentioned it might be construed to include battens. He would suggest, therefore, that the words "sawn lumber" be added to "lumber."

Hon. Mr. GEOFFRION said that was unnecessary. The Government did not intend to interfere with all these details of the law. It was the old law which had never been complained of and was therefore adopted unchanged. The intention of the Government was merely to bring the office under the control of the Inland Revenue Department.

Mr. ROCHESTER was quite satisfied with the Bill after this explanation.

The motion was carried and the House went into committee to make the amendment.

The Bill was reported as amended and the amendment was concurred in.

On the motion for the third reading of the Bill,

Mr. CURRIER moved in amendment "That the Bill be not now read the third time, but that it be referred back to Committee of the Whole with instructions to strike out the word salaries in the 6th clause."

Hr. HAGGART seconded the amendment, which was declared lost on a division.

Mr. CIMON then moved in amendment "That the Bill be not now read a third time, but that it be referred to Committee of the Whole with instructions to strike out the first section, and the 4th sub-section of section 46." He simply desired, he explained, to record his protest against the provision. He had desired explanations from the Minister of Inland Revenue regarding the proposed changes, but the hon. gentleman had never been kind enough to make those explanations. The measure as it stood was against the interests of the lower portion of the Province of Quebec, and he felt confident the hon. Minister would have regretted the changes made so much that next session he would be glad to withdraw them.

Hon. Mr. GEOFFRION thought if the law was considered good for the upper portion of Quebec and for Ontario, it ought also to work well in Lower Quebec. The House at least was entitled to hear the reasons for which the amendment was asked. The hon. gentleman complained that he had not been given explanations on the Bill. He (Mr. GEOFFRION) had explained the Bill to the House several times.

M. CIMON :—A Montréal et dans le Haut-Canada le bois est exporté aux Etats-Unis, et les dispositions de la loi auxquelles je réfère ne s'appliquent pas dans ces cas là. Mais la loi s'applique seulement aux bois exportés par l'Océan. Les producteurs et les manufacturiers, de bonne foi, peuvent eux-mêmes exporter par l'Océan leur bois, sans avoir recours aux inspecteurs (cullers) du Gouvernement ; mais ils ne peuvent exporter le bois qu'ils achétent manufacturé, sans qu'il ait été au préalable mesuré et inspecté par un " culler" du Gouvernement. Voilà la loi que M. GEOFFRION fait appliquer aux comtés de la côte Nord et du Snd, en bas de l'Isle d'Orléans. Or il y a, dans ces endroits, un nombre de personnes qui font 4 à 5 mille billots, et plus, scient ces billots à leurs moulins, et vendent le bois manufacturé aux grands marchans, par exemple, à la maison PRICE. Ils ne peuvent, comme de raison, exporter 8 à 10 mille madriers. Or ces grands marchands ne pouvant exporter ce bois sans qu'il ait été inspecté par un officier du Gouvernement, diront : Nous prendrons votre bois si vous pouvez le faire inspecter à temps par un officier du Gouvernement. Donc tout le fardeau de cette loi tombe sur les petits commerçants. Ces officers du Gouvernement résident à Québec, il y aura retard dans l'inspection de ce bois. En conséquence, en outre des droits payés pour ces officiers, ces petits marchands seront exposées à ne pouvoir livrer ce bois que l'année suivante.

The amendment was declared lost on a division, and the Bill was read the third time and passed.

SALARIES OF COUNTY COURT JUDGES.

On motion of Hon. Mr. FOURNIER, the Bill to provide for the salaries of County Court Judges in the Province of Nova Scotia was read the third time and passed.

SICK AND DISTRESSED MARINERS.

On motion of Hon. Mr. SMITH, the Bill respecting the treatment of Sick and Distressed Mariners was read the third time and passed.

DOMINION LANDS IN MANITOBA.

On motion of Hon. Mr. LAIRD, the Bill respecting the appropriation of certain Dominion Lands in Manitoba was read the second time.

On motion of Hon. Mr. MACKENZIE the Bill respecting certificates to Masters of inland and coasting ships was read a second time.

On motion of Hon. Mr. MACKENZIE the Bill respecting defective letters patent and the discharge of securities to the Crown, (from the Senate) was read a second time, passed through Committee of the Whole, (Mr. BLAIN in the chair), read a third time and passed.

On motion of Hon. Mr. MACKENZIE the Bill to extend to the Province of Manitoba the Act for the more speedy trial in certain cases of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec (from the Senate),

was read a second time, passed through Committee of the Whole (Mr. PELLETIER,) and reported.

MARINE ELECTRIC TELEGRAPHS.

Hon. Mr. MACKENZIE moved the second reading of the amendments made by the Senate to the Bill to regulate the construction and maintenance of Marine Electric Telegraphs.

Mr. BOWELL said before taking concurrence on this Bill he desired to call the attention of the House to a particular clause which the Senate had amended, and to move an addition to that amendment. We had in passing this Bill affirmed the principle of interference with what the Anglo American Company considered its vested rights; but that was not the point before the House. He thought that in doing away, as this Bill proposed to do away, with the present monopoly we should be cautious not to establish a second monopoly. He understood that this Bill provided that the direct company which claimed the exclusive right to land their cable in Newfoundland, when they surrendered that right to other companies or competitive companies.

Mr. MACKENZIE wished to know if the hon. gentlemen proposed to make an amendment to the Bill, because that could not be done. The amendments must be to the Senate amendments, they could not enter upon further amendments to a Bill that had passed the House.

Mr. BOWELL said that he had anticipated that objection, and had consulted upon that point the Librarian, who was considered the best authority in the Dominion, and he had been informed that it was quite competent for the House to alter, change, amend, reject or adopt any amendment which might have been made to the Bill by the Senate. There had been cases in the Imperial Parliament where a Bill, although adopted by the Lower House, had been changed in the Upper House, and those changes amended again. If they would consult the authorities they would find that it was within the competency of this House to add to any amendment made to a Bill after it had gone from this House to the Senate. He would read from May, (page 523) as follows:—

"If one House agree to a Bill passed by the other, without any amendment, no further question or discussion can arise upon it; but the Bill is ready to put into the commission for receiving the Royal assent, If a Bill be returned from one House to another with amendments these amendments must either be agreed to by the House which had first passed the Bill, or the other House must waive their amendments, otherwise the Bill will be lost. Sometimes one House agrees to the amendments with amendments, to which the other House agrees. Occasionally this interchange of amendments is carried even further, and one House agrees to amendments with amendments, to which also the first House in its turn agrees."

Mr. BLAKE said if the hon. gentleman would read the sentences immediately following he would find these words:—"But it is a rule that neither House may at this time leave out or otherwise amend anything which they have already passed themselves; unless such amendment be immediately consequent upon amendments of the other House, which have been agreed to and are necessary for carrying them into effect. And if an amendment be proposed to a Lords' amendment, not consequent on or relevent to such amendment, the question will not be put from the Chair." This Bill having been passed unanimously in a certain shape, any amendments by the hon. gentleman would have to be consequent upon the Senate amendments, or we would be amending our own Bill. It was proposed to obviate the prospective monopoly which was not a consequence of the Senate amendments, and the adoption of such an amendment would be an amendment of our own Bill, and would be an interference with the Bill that was not at this stage admissable. The Senate, in its amendment, had provided that the question of compensation should be against the Dominion of Canada, and should be triable upon petition of right. Another amendment was that the third clause of the Bill as they passed it should not come into effect until three months' notice had been given in the *Canada Gazette*. Another amendment was to strike out a clause because a monopoly might have been possible. The hon. gentleman thought a monopoly might be created by the junction of all the companies created in the Bill; but no amendments were made in the Senate which could produce a monopoly, as the

object of one of their amendments was to prevent such a result.

Mr. BOWELL said he would read his motion, and he thought the House should be careful not to do anything which might by any possibility create a monopoly. He moved that the following be added to the amendment made to the 14th section of the "Act to regulate the construction and maintenance of Marine Electric Telegraphs" immediately following the words *"Canada Gazette,"* in said clause :—"Giving notice at the same time that said other company has stipulated with the Government that the rates for the transmission of messages will not be greater than those charged at the date of said notice by the existing companies." He did not suppose if by the passage of the Bill as amended the Anglo Company were driven from the shores of Nova Scotia, the Direct Company which claimed the right of landing cables upon those shores would be in a position to charge just such rates as they please for any communication with Europe ; but on the other hand, if the Anglo Company elected to accept this Bill, and continue their communication from the shores of Nova Scotia they must of necessity give the right to other companies to land their cables upon Newfoundland. What he desired to prevent was that in case this course should be pursued by the Anglo Company, there should be no combination between the companies by which they might land their cables upon the shores of Nova Scotia, and charge any rate they pleased

Hon. Mr. BLAKE contended that this was not an amendment to the amendmement. It was nothing relevant to it, but was for another object altogether.

Mr. BOWELL asked if this House was restricted to simply accepting or rejecting amendments made by the Senate ?

Mr. SPEAKER said it would be quite open to the hon. gentleman to move that six months be inserted instead of three months, or that the notice appear in several other papers instead of in the *Canada Gazette*, but this was not fairly an alteration of the amendment of the Senate. It was quite a new thing.

Hon. Mr. MACKENZIE hardly thought this House could even insert six instead of three months.

Hon. Mr. BLAKE thought the rule was that this House could not amend the Lords' amendments. They might either agree, or disagree with them, or insert anything necessary to given them full effect.

Sir JOHN MACDONALD said this House could amend any portion of the Lord's amendments just as they could amend any portion of the Bills sent there from the Lower House.

The amendment was ruled out of order.

Mr. BOWELL asked to have this ruling put upon the Journals of this House.

Hon. Mr. TUPPER moved that the word " three" before the word " months" in the 14th section be struck out, and " twelve " be substituted therefor. He presumed no question would be raised as to the propriety of this amendment. It was evident that the Bill was not amended in the Senate without the necessity and justice of it being seen. If it was advisable that a three months' notice should be given, he thought a little consideration would show the House how entirely inadequate that term was for the purpose for which it was provided ; and how necessary it was for the House to adopt the amendment which he proposed. It would be difficult to imagine any body of gentlemen or any company in any part of the civilized world having greater claims upon the consideration of an enlightened Parliament than the Anglo-American Telegraph Company. They had accomplished that which for years many of the most eminent scientific men in the world believed to be utterly impossible. They had expended in giving that which was invaluable to the two hemispheres—the means of annihilating both time and distance in the communication between the two countries. It would be impossible for any man to grasp the immense service that had been performed for the world by this company. They had expended an amount of capital which was almost incredible. When the first cable was laid, it was found in a short time that the means of communication had died out, and it was feared that the prognostications of scientific men that it would be impossible to sustain electrical communication between the two continents for any length of time were realized. But when an enormous amount of capital had thus been been sunk literally to the bottom of the sea without an appearance that any portion of it would ever be recovered ;

when the experiments that had been tried for the restoration by this cable had utterly failed the capitalists of Great Britain were still equal to the occasion. Notwithstanding the enormous amount of money that seemed to have been utterly and uselessly expended, they came forward and supplemented it with fresh capital as no other capitalists in the world would have done. They succeeded, and the whole civilized world were electrified and delighted to learn that their efforts had been attended with success. If there was any company that had a claim, not only for justice, but for the most liberal consideration, it was the Anglo-American Telegraph Company. This measure was only now beginning to attract notice, and it was time for the House to wake up to the fact that its object was not to get rid of a monopoly, but for the purpose of substituting one monopoly for another. It was a proposition to sweep away all the rights and privileges enjoyed by men who had laid the world under tribute by the munificent manner in which they had subscribed their capital for the accomplishment of a great work. But there was another important consideration. If there was a country that was under a moral obligation to preserve the credit and good name of the country by keeping good faith with those who had invested their capital within its boundaries, that country was Canada. We have a great country, abounding in natural resources which only required foreign capital to develop it, and therefore this question above all others required careful and deliberate consideration in this House, 6,000 British capitalists representing £6,000,000 sterling were interested in this Bill. Could this country afford to have every enterprise, however, sound and substantial that was originated in Canada, and that had to go to England, the great money market of the world for capital—could Canada, I say, afford that these capitalists should feel that it was unsafe to invest their money, because they could not rely on the good faith of the Legislature of the Dominion being kept? If this Bill were passed it would not only interfere with the rights of men who deserved most liberal treatment at the hands of this Parliament, but it would strike a most fatal blow at the most vital interest of the Dominion. It was well known that the Legislature of Nova Scotia had given this company the right to land their cable in that Province. This Bill proposed legislation such as he was bold to say no legislation in any other part of the world could parallel. It was proposed by an Act of this Parliament to declare that the rights and privileges given by another and a different country to certain capitalists should be surrendered or abandoned, or this House would use the power it had to coerce and compel this company into the abandonment of those rights. Parliament was asking the company to surrender the right and privilege it possessed of exclusively laying cables in Nova Scotia, a right not only conferred by the Provincial Legislature, but strengthened by an occupancy during twenty years. Under these circumstances he felt that if the House did not exercise care as to the action it adopted, Parliament would expose itself to the imputation in the minds of that great body of capitalists in Great Britain, and of every intelligent man in that country, that it was not safe for them to invest money in Canada on the faith of a Canadian Act of Parliament or the Act of any Government in this Dominion. But the proposed legislation was not only objectionable in that point of view, but there was no necessity for it. The island of Newfoundland did not exclusively belong to Great Britain, a portion belonging to France. At St. Pierre the company could land cables without any legislation by the Canadian Parliament.

Hon. Mr. MACKENZIE objected to the hon. member discussing the principle of the Bill at that stage, when he was speaking to a motion to make a verbal amendment in the Bill as sent down by the Senate.

Mr. SPEAKER ruled that the hon. member for Cumberland was out of order in attacking the essential features of a measure which had already passed the House.

Hon. Mr. TUPPER, refrreing to the amendment which he had submitted, reminded the House that the Senate had declared that Parliament must not interfere with the Company's privileges, without giving it due notice, and that notice should be twelve months. The Senate had thought that three months would be "due notice," but during that time the company would have to take up cable to

the value of one million pounds sterling, which was one of the most difficult and expensive operations, and if the notice were given in December it would be practically no notice whatever. He regretted that this important subject had not received full consideration at an earlier period of the session, but even at this late stage, he would appeal to the sense of justice, if not of fair consideration, of hon. members on both sides of the House, to extend the time from three months to twelve months.

Hon. Mr. MACKENZIE—I do not intend to say anything on the merits of the Bill, but I am bound to notice one or two statements which the hon. gentleman made before I was compelled to stop him by appealing to the Chair. He said we were compelled by regard for the honor of the country, and by regard for our own securities to adopt a certain course. Now, the hon. gentleman has been attempting to decry a monopoly, and at the same time became the advocate of a monopoly himself. The hon. gentleman knows that company is not bound to take up its cable. He knows perfectly well that they have connections entirely independent. He knows it, for he was a member of the committee before which Lord HAY stated distinctly that they were thinking at various times of taking up the cable with Nova Scotia and making another connection. Not only so, but he gave it to understand that the company's privilege was a very small one. If the company should make any attempt to influence the value of the securities of this country. I shall know where the responsibility for that will rest. I say this deliberately I say that the threat has been made that the hon. gentleman has indicated to-day in his speech; nevertheless, I am glad to be able to state, notwithstanding the threat, that has been made by this monopoly to be avenged because we passed a measure of public utility, our securities never stood so high as it stood yesterday on the London market.

Hon. Mr. TUPPER—I am quite sure the First Minister will allow me to say that this is the first intimation I have received that such a threat was indulged in from that quarter—I never heard any statement of the kind before. My remarks were based solely on my judgment as to the effect of the proposed legislation.

Hon. Mr. MACKENZIE—I was about to say that this movement of the hon. member for Cumberland to obtain twelve months instead of three months time was confessedly made in the interest of this monopoly which this Bill is framed to destroy. It is a public Bill—has been maturely considered in this House—I made a long speech on introducing it, citing fully all the facts connected with the company; it has been considered in committee and accepted by the representatives of this company in committee, and it passed unanimously. And yet it is now attempted by a motion of this kind practically to defeat its object! The amendment is one, I feel sure, that the House will not for one moment entertain.

The amendment was then lost on division.

The amendments by the Senate were afterwards read a second time and concurred in.

It being six o'clock, the SPEAKER left the chair.

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AFTER RECESS.

CONTROVERTED ELECTIONS BILL.

On motion of Hon. Mr. FOURNIER, the Bill to amend the Act respecting Controverted Elections was read a third time and passed.

SHIPMASTERS' CERTIFICATES.

On motion of Hon. Mr. SMITH (Westmoreland) the Bill to amend the Act respecting certificates to masters and mates of ships, was read a second time.

THE PILOTAGE ACT.

On motion of Hon. Mr. SMITH (Westmoreland) the Bill further to amend the Pilotage Act, 1873, was read a second time, and the House went into committee thereon—Mr. DYMOND in the chair.

Mr. MCKAY (Cape Breton) said as many pilots were in the habit of proceeding for a time for the purpose of "speaking" vessels as to whether they should come on board, some indications should be given by the master as to whether their services were required or not. Otherwise it was a hardship to pilots to find after they had sailed eight or thirteen miles that they were not wanted. A simple remedy could be provided. If masters would exhibit a triangular flag at their fore, pilots would not require to "speak" those vessels, and they would save going per-

haps eight or ten miles. It seemed to him unjust to the pilots that their interests should not be considered to a certain extent. They were a class of men who were an absolute necessity upon some of our coasts, and if legislation was only for the benefit of our ship-owners and ship-masters, those hardy classes would have to resort to some other means of earning a livelihood.

Mr. McDONALD (Cape Breton) called the attention of the hon. Minister of Marine and Fisheries to the fact that in the district of Sydney, Cape Breton, the Commissioners of Pilots were also pilots. They were two out of the five, and had everything in their own hands. He had written to the hon. Minister of Marine and Fisheries about the matter some time ago, as it was a state of things he desired to prevent.

Hon. Mr. SMITH said if he had received a letter he must have overlooked it; but if the hon. gentleman would address him again he would have the error rectified.

The Bill was reported, read a third time and passed.

THE INSOLVENCY ACT.

On motion of Hon. Mr. FOURNIER the House went into Committee of the Whole on the Insolvency Bill and amendments—Mr. IRVING in the chair.

On the second clause,

Mr. McISAAC suggested that in the second clause the words "Supreme Court" be struck out, and "Court of Probate" be substituted. In Nova Scotia it was uncertain whether the County Courts would be organized, and it would be exceedingly inconvenient to carry all the insolvency cases to Halifax.

Hon. Mr. FOURNIER was sorry he was not able to accept the amendment. He was satisfied that the Bill now before the Nova Scotia Legislature to repeal the Act establishing County Courts in that Province would not pass, and that the proclamation of the Governor in Council would soon be issued organizing County Courts.

Mr. McISAAC—In that event there would be nothing lost by adopting my amendment.

Mr. KILLAM hoped the Minister of Justice would see fit to accept this amendment. Nova Scotia might as well be without an Insolvency Law at all as to give jurisdiction to the Supreme Court alone. Even when the County Courts were established, if they were to be established, there would not be a Judge in every county to try these cases.

Mr. MILLS said the Probate Judges were officers of the Local Government, and it was objectionable to impose duties on them while there were other Judges for the purpose.

Mr. GOUDGE said there was a great deal of uncertainty as to whether the County Courts' Bill would go into operation or not, but should it fail, the Province would be practically without Judges to administer the law. As far as his own experience went the Judges of Probate were very competent men—quite competent to discharge the duties devolving upon them under the law, and therefore he hoped before this clause passed the Minister of Justice would make some provision whereby in case the County Courts should not be organized, there would be some tribunal besides the Supreme Court to try cases under this law.

Hon. Mr. TUPPER hoped the suggestion of the hon. member for Antigonish would commend itself to this committee. A law was passed by the Legislature of Nova Scotia a year ago, providing for the appointment of County Court Judges in that Province. That law contained a clause which required a proclamation of the Governor in Council in order to bring it into operation, and though a year had transpired since the passage of the law, that proclamation had never been issued. On the meeting of the Legislature a short time ago, a Bill was introduced to repeal it. Of course it was impossible to say what the fate of that Bill would be. The Minister of Justice asserted that he had been advised that the Bill was certain to be defeated, and it would be in the power of the Governor in Council to bring the Bill into operation by proclamation. There were no County Courts in existence in the Province. Seven County Court Judges had been provided for by the Local Legislature, on the ground that the Supreme Court was so overworked that it was not able to do the judicial work of the Province. Until these County Court Judges were appointed, this Bill would throw all the work it involved on the

already overworked Supreme Court Judges. But that was not all. Until the County Court Judges were appointed, parties living 200 miles away from Halifax, where the Supreme Court Judges resided, would be placed in the greatest possible difficulty, cost and inconvenience in carrying out the provisions of the Bill. He hoped, therefore, that some means would be taken to provide for the trial of these cases if the County Court Judges should not be appointed.

Hon. Mr. VAIL was so satisfied that the Bill to repeal the County Courts Bill would be rejected that he did not think it necessary to provide against the contingency suggested.

Hon. Mr. BLAKE did not attach much importance to the prospect of the County Courts not being established, but he thought that inasmuch as the Probate Judges were now Judges of insolvency cases, it would be as well to leave them jurisdiction until the County Courts were established.

Hon. Mr. MACKENZIE said that although the Government had no official information on this subject, he was semi-officially informed that the Bill now before the Nova Scotia Legislature would not pass, and that it was intended to bring the County Courts Bill into operation immediately.

Hon. Mr. FOURNIER accepted the amendment which was accordingly made, and the clause was passed.

Clauses 5 to 20 inclusive were passed without discussion.

On clause 21,

Mr. WOOD desired an amendment to be inserted to provide for giving notices to creditors by advertisement in cases where debtors absconded and took with them their books and papers.

The section was amended by adding the following words :—"In case the Assignee is unable to obtain such list, then ten day's notice shall be given by advertisement in the local papers."

Mr. MACLENNAN called attention to section 19, and moved that a provision be made for the registration of assignment, by adding to the clause the following words :—"And in the Province of Ontario such copy may be registered without any other proof than the certificate of the Assignee or Clerk as aforesaid."

Mr. KIRKPATRICK thought that clause was beyond our power as we could not alter the Registration Laws of Ontario.

Mr. MACLENNAN said the same objection would apply to our deciding the forms of conveyance. He thought we had the same jurisdiction to provide for the registration of the deed as the form of it.

Mr. PALMER did not think there was anything in the objection of his hon. friend from Frontenac ; and he did not think the amendment was necessary at all.

Hon. Mr. BLAKE considered the objection was worthy of consideration, and suggested that it be held over for another day.

Hon. Mr. FOURNIER was understood to argue that the proposition could be carried into effect.

Mr. PALMER admitted that the question of registration of deeds was a civil right, entirely within the jurisdiction of the Local Legislature ; but as this was one of the subjects abrogated to this Parliament we must necessarily have power over those subjects ; and if it were not so Parliament might be blocked any time by the local laws, as his hon. friend from Frontenac would see. Suppose the Local Parliament had a particular form of transfer, would his hon. friend say that no assignment in insolvency would be valid simply because it had not local registration. He thought it would be enough for this Parliament to say that a certain thing must be done.

Hon. Mr. BLAKE said there was no doubt whatever that Parliament had jurisdiction in insolvency, and they had jurisdiction to make their disposition of that subject effectual. The question was whether it was necessary to exercise these powers ; whether we should provide that an estate should go in a particular way for a particular purpose. It might be necessary that we should provide a form of conveyance ; but the question was whether it was a necessary incident of that power that we should provide a peculiar mode for the registration of instruments, and so encroach upon the method the local law provided.

Mr. KIRKPATRICK thought it was sufficient for us to say that the deed should be registered and leave it for the local laws to say how.

The amendment was lost.

The 23rd to 26th clauses were adopted.

On the 27th clause,

Mr. PALMER said a very important matter was before the committee as to whether Official Assignees were to be appointed by the Government or elected in the old way by Boards of Trade, and also as to whether they should reside in the county or district in which was the principal place of business of the insolvent. All over the country there were officers who had had considerable experience in this business under the old law, and if fresh persons were appointed we should lose a great deal of valuable experience. In New Brunswick he had heard no complaints against a single Assignee from one end of the Province to the other, and he supposed that observation would apply to every portion of the Dominion, but of that of course he could not speak positively. He would move that the appointments be made as formerly by the Boards of Trade of the district, or by the nearest Board of Trade to the place where the appointment was to be made. He did not, however, propose to have appointments made exactly as before. In every district in New Brunswick they had only one Assignee. In Ontario he understood several Assignees had been appointed to one district. He thought that was a mistake, and that it had probably led to trouble. He thought there should be only one Assignee for each district or county or division.

Mr. JONES (Leeds) thought the 27th clause one of the most important in the Bill. He thought the Official Assignees should not be appointed by the Government at all, but that Sheriffs should be made *ad interim*, Assignees with such restrictions as the Government might see fit to adopt, and then the creditors themselves could make the appointment of an assignee. We should simplify this Act as much as we possibly could, but he felt we were making it far worse than before, and instead of simplifying it were making it more complicated.

Mr. LAFLAMME moved in amendment—"That in the districts of Quebec and Montreal the Governor in Council may appoint one person or several persons to act as an Assignee or Assignees, or as joint Assignees for one or more electoral divisions, as the Governor in Council may determine." He said that this amendment arose from the fact that the districts of Montreal and Quebec comprised such a large territorial division that it would be almost impossible to have the Act well executed in those parts if the duties were assigned to one Assignee or a joint Assignee, who would in fact amount to only one Assignee, because when two men were appointed as joint Assignees they required joint sureties, which would lead to confusion.

Mr. JONES (Halifax) thought there was, no doubt, force in the objection of the hon. member. He thought it was objectionable to have a joint Assignee at all. He was opposed to having more than one Assignee in a district on account of the difficulties that would be occasioned by the securities; as in the case of a joint Assignee being appointed one man might become responsible for three men, and these complications would embarrass the estate. He understood from the Government in committee that the appointment of Assignees was a point upon which they were not disposed to yield, and that it was a principle of the Bill they desired to maintain. He differed entirely from the hon. member for Leeds with respect to placing an estate *ad interim* in the hands of the Sheriff, for they were not always business men who should have the administration of a large estate. He thought an Official Assignee appointed by the Government, and selected for his business qualities, would probably be a much better administrator until the creditors met, and put the estate into the hands of a man of their own choice. He was quite willing to vote for a proposition to that effect.

Mr. DOMVILLE thought it was a capital plan for the Government to appoint Official Assignees, and he objected entirely to a majority of the creditors or a clique appointing their own Assignee. That plan never worked well, and if the Government would assume the responsibility of appointing an Assignee that Assignee must do his duty, and if he did not we would have the Government to fall back upon. If the creditors, or a clique of the creditors, appointed an Assignee, and he did not perform his duty they had no one to hold responsible at present. The great object of too many Assignees was to get an estate, and to pocket all the fees they

could, and then wind it up. The consequence was that in many instances the interests of creditors were almost wholly or even entirely neglected. The Official Assignees appointed by the Government ought to be persons of responsibility and ability with such a staff as would enable them to put matters straight and be a go-between the creditors and debtors.

Mr. BROOKS approved the amendment of the hon. member for Jacques Cartier, and desired that the district of St. Francis should be added. He desired that the Assignees should be appointed as heretofore, but as he understood the Government had insisted upon making the appointments themselves he would submit to that desire. He thought by that method only responsible persons would be appointed Assignees. He would like to ask the hon. Minister of Justice whether in the appointment of those Assignees they would recognize the Assignees in the different districts who had held that office heretofore, and who had some claims to receive the appointments that might be made in future.

Hon. Mr. FOURNIER said the Government would certainly consider the cases of every one of those who held office; but could not pledge themselves as to whether they should be Assignees or not.

Mr. DEVLIN said he sincerely hoped the Government would dispense with the services of a great many who were employed in that capacity; and the country would be grateful to the Government if they did so. He quite agreed with the remarks of the hon. member for Jacques Cartier, and hoped his amendment would be carried.

Mr. JONES (Leeds) said if the Government insisted upon pressing this clause of course it would be carried. He moved in amendment that the 27th clause be struck out, and that the Sheriff be Official Assignee within his county or district.

Mr. McKAY (Cape Breton) was sure there were many instances in which the Sheriffs of the different counties would not be thoroughly up to their work. He thought that the interests of the creditors would be safer in the hands of the nominees of the Government than if they were selected without regard to the capacities of the person throughout the country simply because they held positions. He also objected to the appointment of Assignees by Boards of Trade inasmuch as they did not always exercise the best discretion, but when the Government made selections they could be held responsible for the appointment of competent men. For these reasons he was satisfied that the best course would be to leave the appointment of Assignees in the hands of the Government.

Hon. Mr. HUNTINGTON said there would be little capital to be made with the commercial community by the possession of the power of appointing Official Assignees. There was no one case in twenty in which the *ad interim* Assignee would not be dismissed by the creditors.

Mr. WOOD concurred in this opinion, and was quite satisfied to take the Bill with the amendment as it stood now.

The amendment of Mr. JONES (Leeds) was lost on a division.

Mr. PALMER did not agree with the hon. member for Shefford, but held that these appointments were of considerable importance. He believed Boards of Trade were more likely to make good selections than the Government; because it was likely the fruits of bad management would come out of their own pockets, many of the members of the Boards of Trade in such instances being interested as creditors. It was of vast importance that a person interested in the particular district in which insolvency occurred should be appointed, and none were better fitted to make such appointments than Boards of Trade. He therefore moved in amendment to the 27th clause "That the person shall be appointed in every county or district in which the court is held, by the Boards of Trade in such county and district, or the nearest to such county or district who shall reside in such county or district to act as Assignee for such county or district."

The amendment was lost on a division and the clause passed.

Clauses from 28 to 42 were passed without discussion.

Clauses 43 to 57 were carried without discussion.

On clause 58 Mr. DEVLIN said he understood the clause was discussed by the Special Committee that it would not be submitted to the House in its present form.

Mr. WOOD—It was carried in the Committee.

Mr. DEVLIN said he knew how it

was carried. The clause was at first refused, but some gentleman found there was not a quorum, and on the following day a majority was found to support the clause. The President of the Montreal Board of Trade and other gentlemen of large mercantile influence spoke strongly against it, and characterized the clause as a most unjust one. It provided that insolvents must pay 33 cents on the dollar, or they would not obtain a discharge. Traders were to be forced into insolvency by the act of their creditors. Their estates were taken possession of by the creditors, and yet the debtors were to be responsible for the mismanagement which followed whereby an estate which was worth 100 per cent. above the claims against it would be so reduced as to leave a very small dividend. Notwithstanding this arrangement debtors were to be deprived of a discharge if they could not pay 33 cents on the dollar. He submitted that such legislation would most unfairly press on those who would become the subjects of the Insolvency Law, and he, therefore, called the attention of the committee to the danger which accrued from placing that clause in the Act. He regarded it as an act of tyranny of the very worst kind, and he hoped the House would reject a clause which exposed men to be made bankrupt for ever, no matter how honest they might be.

Mr. NORRIS fully concurred in the remarks of the hon. member for Montreal Centre. He believed that if every bankrupt had to pay a dividend of 33 cents on the dollar, there would be very few discharges granted, because the class of people who would take advantage of the Act were those whose goods would not bring 50 cents on the dollar if put up for sale, and after the expenses of the Assignee and other officials were deducted there would not be sufficient dividend to secure a discharge.

Mr. PALMER thought the hon. member for Montreal Centre had not carefully read the clause to which he referred, which stated :—"Whenever it appears that the estate of the Insolvent has not paid or is not likely to realize for the creditors a dividend of thirty-three cents in the dollar on the unsecured claims and sufficient account is not given for the deficiency, the Judge or Court may in his or its discretion suspend or refuse altogether the discharge of the Insolvent." Three things, therefore, had to occurr. First, a bankrupt had not to pay 33 cents on the dollar; in the second place his estate was not likely to realize that dividend; and in the third place he had not to give a sufficient account for the deficiency. The only object of this section was, therefore, to leave the fact of not being able to pay 33 cents on the dollar, a question to be discussed before the Judge that he might require a better account of the deficiency. It was a matter of great importance that the debtor should understand they should seize his business before two-thirds of their estate had been squandered and they were unable to pay the dividend set forth in the Bill.

Hon. Mr. BLAKE said the clause as it stood with other provisions of the Bill, was not satisfactory. He thought when they did not give the debtor the opportunity of going into insolvency, the House ought to be very careful how they imposed a barrier to the discharge of the honest debtor. His opinion was that the Insolvency Law ought to give facilities for a trader who was embarrassed to go into insolvency at the earliest possible moment, and also to make provision for his paying a certain dividend on his estate, unless some unfortunate accident should have reduced it. He admitted there were cases in which a sudden disaster, such as a conflagration or failure of a house, in which he was entirely dependent, might bring a man below any mark which Parliament might please to appoint, but in ordinary conditions if a debtor were allowed to go into insolvency he ought to be obliged to pay a reasonable dividend. He advised the hon. member for Montreal to bring up the question on concurrence, when the SPEAKER was in the chair.

Mr. WOOD said he felt the importance of pecuniary embarrassment, and thought if his business was falling off he should consult his friends as to the propriety of going into insolvency, at the same time laying a statement of his affairs before them. With this clause hanging over him he would be more likely to adopt that course at an earlier period of his difficulties than he would be inclined to do if he was not compelled by the Act to pay a certain dividend. The debtor was required under the Act to account before the Judge for his deficiency before he could obtain a discharge in the event of his paying less than 33 per cent. dividend, and the power of

deciding on these cases was, therefore, left in the hand of the Judge. The 58th was a very salutory clause, and he hoped it would be preserved in the Bill.

Mr. DOMVILLE moved that the clause be amended by striking out 33 cents and inserting 50 cents. He said he moved the amendment because it would meet the views of a large body of merchants and bankers if not of the whole of them. No hardship would be involved by placing the dividend at that amount because discretionary power was placed in the hands of the Judge. If a man had been unfortunate and had been overtaken by a calamity the Judge would give him his discharge, but on the other hand if the amount of the dividend was placed in the Act at 33 cents, that would be the highest amount ever paid by the debtors : and he desired the clause to be so framed that Parliament would not be giving a premium to debtors for paying a small dividend. It was an axiom in business that every debtor should submit a statement of his affairs to his creditors if they did not show 75 cents in the dollar ; and surely, therefore, Parliament would not be doing too much in compelling debtors to pay at least 50 cents.

Mr. OLIVER quite agreed with the hon. member for Montreal Centre that if a trader was unfortunate and was compelled by his creditors to go into insolvency, and thus place his estate entirely under the management of his creditors, it was not advisable that Parliament should fix the amount of dividend that should be paid. The present Bill was framed in the interests of the wholesale merchants of this country, and not in the interests of the retail merchants, for the former had power to put their customers into insolvency whereas the latter class had not that power because their creditors were generally non-traders and consequently outside the provisions of the Act. The law was therefore entirely in the interests of the wholesale merchants, who had two classes of customers ; one was the independent retailer who met his paper at maturity, and who was not afraid of the merchant and who could go to the markets of the United States or Great Britain with every confidence to purchase his supplies ; the other class was subject to the operations of the Act, and were the poor traders of Canada, and this 33 cents on the dollar had been fixed by the wholesale merchants and Boards of Trade because they knew that they could afford to take once in every five years a dividend of that amount. The independent trader could buy goods at 5 or 10 per cent less than those who were not independent, and it was nothing but reasonable to come to the conclusion that after a very nice calculation they had found that they could afford to receive every five years a divident of exactly that amount. If the unfortunate trader was unable to pay 33 cents dividend the Judge had the power to refuse him a discharge, whereas an insolvent who could pay only one cent more could obtain a discharge in spite of any action taken by the Judge. If Parliament should decide to give relief to the unfortunate trader, then the more unfortunate he was the more entitled he was to the sympathy of the people, and to relief, and this clause ought not to be so limited in its operations. If insolvent estates were managed in the future as they had been in the past, the Bill would not benefit unfortunate traders because there was not one in twenty who would be able to pay the dividend specified, and the Judge, therefore, would not give him a discharge. He submitted that the clause fixing the dividend should be removed from the Bill, and that then unfortunate traders would have the power to go into insolvency themselves.

Hon. Mr. TUPPER asked if the hon. member meant to say that a dishonest debtor who got rid of his property and would not account for it to his creditors should obtain a discharge.

Mr. OLIVER said the operation of the law would tend to make men dishonest. He did not mean to say that the Bill applied to dishonest traders, but Parliament was about to leave debtors in the hands of one man in each district, and if a trader had a misunderstanding with a Judge and become bankrupt the Judge might refuse him a discharge if he could not pay a dividend of 33 cents. He regretted the committee had been composed of 10 wholesale merchants and 17 lawyers.

Mr. BUNSTER dissented from the view that so much discretion should be placed in the hands of the Judges as to state whether or not a debtor who had paid less than thirty-three per cent. divi-

dend should obtain a discharge or not. What this country wanted was not a cumbrous Bill like this, but plain, simple legislation, so that farmers and the public generally could understand the law without the aid of lawyers. He gave great credit to the hon. member for Montreal Centre, who, in the face of his professional friends desired the clause to be struck out, and it was certainly in the interests of this country not to leave a decision of this kind to any one who might possibly have had a difficulty with the insolvent. The proper method to deal with the question was to strike out the clause altogether. If any unfortunate debtor could not obtain his discharge in Canada he would follow his 500,000 fellow Canadians to the United States, and yet this country would continue to pay heavy amounts to promote immigration. He had no doubt the House would strike the clause from the Bill.

Mr. DEVLIN called the attention of the committee to the words "or is not likely to realize," and asked who was to decide as to whether an estate was likely to realize the legal dividend or not, for the value of the estate might change within a few months. He was not prepared to place the liberty of the subject to the whim and caprice of a Judge.

Mr. GOUDGE said that while he did not go so far as the hon. member for Montreal he thought the clause ought to be made more distinct, and might be made so easily by stating that a dividend of thirty-three per cent. should be the proposed value, because many of the assets were eaten up by expenses, and would not realize the fixed dividend after all the expenses were paid.

The amendments were withdrawn and the clause was carried on a division.

The following clauses to the 79th inclusive, were passed without any discussion.

On clause 80,

Mr. MACLENNAN said he had an amendment to propose for the purpose of enabling certain unliquidated claims to be proved in insolvency. Under the existing law there were certain claims of a mercantile kind which could not be proved, but which, he thought, it was desirable should be entitled to proof. He had mentioned this matter in committee, but the Minister thought it would be better brought up in the House. In 1861 the Insolvency Law of England was amended in the respect in which he proposed to amend the present law. In the existing law of England it was retained, and it was also a provision in the Insolvency Law of Ireland passed in 1872. He would best explain the object of the amendment by an illustration. For example, if a trader were to give to a miller 10,000 bushels of wheat upon a written agreement that in return for it he should not have cash, but a certain number of barrels of flour. If the miller should fail, the person who gave him the grain would not be entitled to prove his claim in insolvency, and the very grain which the vendor had given to the miller, though perhaps not yet ground, would be part of the estate and go to pay the other creditors, while the vendor would receive not one single farthing. Cases of that kind had occurred in Ontario, and it was very desirable that such cases should be met. He moved that the following clause be inserted :—"Demands in the nature of unliquidated damages arising out of contracts, expressed or implied, entered into before the commencement of insolvency proceedings, shall also be provable against the estate of the insolvent; the claim of such damages and the amount thereof shall be determined in the usual manner or by the Judge either with or without the intervention of the jury, under such orders as may be made under authority of this Act. Provided that the winding up of the estate shall not be delayed to await proof of such demands, and provided that such demands shall not be affected by the discharge under this Act unless or until the claims shall have been paid the same dividend thereon as the other creditors."

Mr. GORDON said this was a case not likely to occur often. He had had a good deal of experience in the wheat trade and met very few cases of the kind referred to. If there was anything which should be discouraged more than another, it was giving credit on wheat transactions, and he thought sufficient relief was given under the Bill otherwise without inserting a special clause in this way.

Hon. Mr. FOURNIER said he had not changed his mind on this subject, and could not entertain the proposition. No doubt damage had been suffered by some

parties, but instances of the kind were not so numerous as to make a clause of this kind advisable. The commercial community had made no recommendation of that sort. The Government had received recommendations from all the Boards of Trade, but not one of them had made a recommendation to this effect.

Mr. MACLENNAN regretted that the Minister of Justice did not see fit to adopt this suggestion. He hoped to bring this matter up at a future stage of the Bill.

The clause was carried.

The following clauses to the 92nd inclusive, were passed :

On the 93rd clause,

Mr. LANGLOIS said this clause was adopted from the old law, and related to the contestation of claims. It provided that they should be decided by the Assignee himself, acting as Judge. The Assignee was to examine witnesses and render a decision, from which an appeal could be taken either before a Judge or Court. There was no provision in the Bill to provide before whom the contestation should be made and who should render a decision. He moved that after the words "consenting thereto," in the 44th line, the following be added : "shall be adjudicated upon by the Judge in the manner and form by him directed."

The amendment was adopted and the clause as amended was carried.

The remaining clauses in the Bill were passed without discussion.

The 22nd clause was changed so as to provide that the creditors at their first meeting should elect one of themselves as chairman, and that at all subsequent meetings the Assignee should be chairman.

The preamble and forms of the Bill were adopted, and the Bill reported, and the amendments read the first and second time.

On the question of the third reading it was suggested that the hon. Minister of Justice had some changes for the first clause.

Hon. Mr. FOURNIER said those who were interested in this clause would do well to consider it carefully. In Quebec they had long had an exact legal definition of what a trader was, but in the other Provinces that was not the case. The Quebec Act had worked very well. He would have no difficulty in making some slight changes.

The House then adjourned at 11.30 P. M.

HOUSE OF COMMONS,

Wednesday, March 24th, 1875.

The SPEAKER took the chair at three o'clock.

BILLS INTRODUCED.

The following Bills were introduced and read the first time :—

Hon. Mr. CARTWRIGHT (in the absence of the Minister of Marine and Fisheries)—To amend the Fisheries Act.

Hon. Mr. FOURNIER—To amend the Act passed in the 32nd and 33rd year of HER MAJESTY'S reign, Chap. 21, entitled an Act respecting larceny and other similar offences.

THE EXPORT DUTY ON OAK LOGS.

On motion of Hon. Mr. CARTWRIGHT, the House went into Committee of the Whole (Mr. FORBES in the chair) on a resolution declaring it expedient to repeal the export duty on stave, bolts and oak logs.

Hon. Mr. MITCHELL asked for explanations with regard to the measure.

Hon. Mr. CARTWRIGHT said its object was to repeal the export duty on stave bolts and oak logs. He was informed that all the gentlemen of the lumber persuasion at Ottawa were favorable to this doctrine. Otherwise he would not have introduced it.

Hon. Mr. POPE said there were other gentlemen whose interests should be consulted well as the exporters of oak logs. He did not see why the export duty should not be removed from spruce logs as well as from oak logs.

Mr. WRIGHT (Pontiac) said the principle that had been fought against last session was introduced in this Bill, but in a modified degree. They were endeavoring to build up the manufacturing interests of this country, and he was decidedly opposed to the exportation of the raw material from Canada to enrich foreign industries. He believed this country was in the infancy of its manufactures, and they should be encouraged. He thought

it was the policy of this country, if we wished to preserve to ourselves the material industries of the Dominion, that the exportation of the raw material should be deprecated. It should be manufactured in Canada so that the country might get not only the value of the material itself, but its manufactured value also. He hoped this House would not consent to the removal of duty from oak logs. or from any kind of logs.

Mr. JONES (Leeds) said the producers lost nothing in this country by this duty. The foreigner who exported the logs had to pay the duty, and he agreed with the member for Pontiac that we should continue the duty. He would therefore oppose this Bill.

Mr. WRIGHT (Ottawa) said the hon. member for Pontiac represented, so far as he was aware, the views of not one single gentleman in the trade of Ottawa. He (Mr. ALONZO WRIGHT) had introduced Mr. CHARLTON to the lumber men of Ottawa, and they consented to his very reasonable proposition to remove the export duty from oak logs, which would not affect this section in the slightest degree, while it was in the interests of the section represented by the hon. member for North Norfolk.

Hon. Mr. CARTWRIGHT said this was not, by any means, a novel proposition. It had been referred on at least two occasions to committees of this House, and a good deal of evidence had been taken with reference to it. It did appear that this export duty affected the interests of the section of the country adjacent to Lake Erie, and a good deal of valuable timber was destroyed because the owners could not take it to the United States, the only market for it, without paying an export duty. For these reasons the Government had assented to the introduction, though, he was bound to say, they were given to understand there would be no opposition to the measure.

Hon. Mr. POPE said the Eastern Townships stood in exactly the same position with respect to spruce logs, and he was sure the lumbermen of Ottawa would have as little objection to the removal of the duty on one kind as on the other kind of logs. It would be a great advantage to the people living along the frontier of Quebec if spruce logs could be exported free of duty. In many instances it had to be burned up, yet the duty had been exacted in all instances. Were the residents of the country adjacent to Lake Erie to be relieved of a duty which was continued on the residents of the Eastern Townships? He had presented to the Government, from twenty-four mill owners of the section he represented, a petition asking some protection, and stating that the country was being so depleted of raw material that they were obliged to shut down, and since then more than half of them had closed their mills from this cause.

Mr. CHARLTON said the section he represented was more deeply interested than any other part of the Dominion. The county of Norfolk had paid three-fourths of those export duties, and had never received any return for the exceptional burden imposed on them. It had been a sort of special tax levied on that county. Last year he had interested himself in this matter and called for a committee to give it due consideration. The report of the committee was adverse to the continuance of the duty. He found that many of his friends in Ottawa feared that the removal of the duty would work against their interests, and, consequently, he forebore to press the measure during that session. Recently he had an interview with the leading lumbermen in this city, and made a certain proposition to them, with regard to the abolition of duty on stave bolts and oak logs. There was no opposition to that from any one of them. The whole of the export duty on these two items was less than $2,000 last year. He did not ask the removal of duty from spruce logs, or pine logs, or shingle bolts, but merely from stave bolts and oak logs, which were principally exported from Norfolk. He held that the owners of logs had the right to select the best market they could find. A mill owner had no right to have a special tax levied for his benefit. By removing the export duty on stave bolts the settler would be enabled to utilize timber which was otherwise almost useless, and he would thus be able to obtain means for procuring comforts which would aid him in overcoming the difficulties with which he was surrounded. With respect to oak logs, there was no export trade except on the shores of Lake Erie, and that did not amount to one million feet, board

measure, per annum. The duty imposed was $2 per thousand feet, and the revenue was therefore very small. The measure proposed was satisfactory to all lumbermen who had been consulted, including those of the Ottawa Valley, and he hoped it would be allowed to pass without further cavil or comment.

Mr. COLIN McDOUGALL said his constituents desired him to ask that the duties should be repealed. He sincerely trusted the Government would carry the measure which they proposed to introduce. The best interests of the trade would be served thereby.

Mr. PALMER said that the imposition of the duties was a hardship upon manufacturers in the Maritime Provinces. The manufacturers of carriages and railway cars had to import their oak and pay taxes that foreign manufacturers who competed with them did not have to pay. It, therefore, operated as a discrimination against our own manufacturers. He hoped that the Finance Minister would add a few words to the Bill which would abolish the duties, which amounted to a very small sum. The Maritime Provinces could not obtain from Western Canada the goods required in the manufacture of carriages, as the cost of transportation was more than the value of the article. They were, however, compelled to pay duty on a foreign article.

Mr. SCRIVER thought the measure proposed did not go far enough, and regretted that the hon. Minister had not, when taking a step in the direction of repealing the duties, gone the length of proposing the abolition of import duty on all kinds of timber. He agreed with the hon. member for Compton that there was no reason whatever if the duties were to be rescinded on certain qualities of timber; why they should not be abolished on all. The operation of the law affected very much the frontier townships in Quebec, where there was a very large amount of spruce timber. This country ought to give every support to the pioneers who went and settled on its waste lands, and manufacturing industries should not be bolstered up to their injury.

Mr. MACKENZIE BOWELL was surprised to hear the Hon. Finance Minister state that the result of the Investigating Committees, that had been appointed on different occasions to inquire into the effect of the repeal of the export duties on lumber, had come to an unanimous decision. If the repeal of the duties proposed was necessary for the material growth and prosperity of the county of Norfolk, he would prefer that its operation should be confined to that county and the neighborhood, rather than that it should extend to other portions of the Dominion. There were not many oak logs exported from the central parts of Canada, but there was a large export trade in stave bolts, and if Parliament repealed the export duty upon them, the repeal of the duties on shingles, bolts and saw-logs would follow. If the measure were passed, the mills that had been erected for the manufacture of staves and shingles along our shores, and particularly in the district in which he resided, would be compelled, as they had been on a previous occasion, when the duties were removed, to take away their machinery and re-erect their mills on the other side of the line. The American lumbermen, who owned extensive limits in Ontario, would find it to be to their advantage to bring the logs down along the shores and boom them, and watch for an opportunity to take them across the lakes, and the slabs which were of no use in this country but for fuel, would more than pay the expenses of transport. The result would, therefore, be that our manufacturing operations in a large degree would be transferred to the mills of Oswego and along the frontier. He did not hold free trade views, but believed it was the duty of Parliament, even if it were necessary to impose exceptional duties, to do everything possible to build up the industry of the country, and not to drive our raw material to the United States to be manufactured, thereby increasing their population and wealth at our expense. For these reasons he objected to the repeal of the duties upon even staves, bolts, and oak logs. Lumbermen, like other classes of the community, were very magnanimous when to be so did not cost them anything. The lumbermen of the Ottawa region had no oak timber to export, nor did they export stave bolts, and as the measure would not, therefore, interfere with their trade, he could easily understand the magnanimity of the Ottawa members in concurring in the proposition of the hon. member for Norfolk. If, on the other hand, it had been proposed to abolish the duties on

saw logs, he suspected they would have entertained different views.

Mr. WRIGHT (Ottawa) said one would think from the debate that the whole object of legislation was the protection of saw-logs. He thought the Ottawa lumbermen were as keen and sharp business men as would be found any where in the community; and they had been brought into contact with the hon. member for North Norfolk, and after considering the whole matter had given their consent to the proposition, which he thought was a very moderate one, and worthy the consideration of the House. He considered the matter was a purely local one, and even though it did affect his hon. friend from North Norfolk, it was worthy the consideration of the House, and he would give the proposition of the hon. Minister of Finance his support.

Mr. CURRIER said he had been consulted about the matter by his hon. friend from North Norfolk, and had consented to to the proposition, but he had expressed his regret that the Government should be asked to remove the export duty upon any class of lumber, though it was quite time that there were not oak logs in the Ottawa Valley to be exported. He thought every inducemeut should be offered for manufacturing lumber in this country, as the Americans were sharp enough to put a duty of $2 per thousand on sawn lumber and admit logs duty free, so as to encourage dealers to float logs down the Ottawa and up to Lake Champlain, there to be manufactured and to compete with our sawn lumber with the disadvantage of $2 per thousand.

Mr. McCALLUM did not consider the resolution went quite far enough, as he thought the export duties should be removed altogether, because then a great deal of timber would be exported that was fit for nothing else but burning. When a farmer went to clear off his land, he could get out a good deal of swamp elm that could be manufactured into stave-bolts if he could get a market, and this would be supplied by the removal of the export duty of a dollar per cord on stave-bolts. The Government sold these lands to the people of Norfolk, and in many cases they mortgaged their land to pay the Government, and the Government put on the export duty, and by that means made them pay for the land the second time. The people calculated to pay for the land with the sale of the timber, and the removal of the duty would help to give them a market. As it was, the settlers were compelled to burn a great deal of timber for which they could not get a market. If they wished to put a duty upon any timber it should be upon oak timber, because we have less of it than any other kind of timber. He thought the Government should go a little further, and include saw-logs of all kinds.

Mr. WRIGHT (Pontiac) said he was somewhat astonished at seeing the lumbermen of the Ottawa valley supporting the removal of the export duty on oak logs and bolt-staves, because he considered that policy was most suicidal for their own interests; and he was glad to learn that the hon. member for Ottawa City, although he had given his assent to the proposition, had done so reluctantly, and he presumed it was with the idea of preventing the hon. member from Norfolk proceeding the same length as the hon. member for Monck, and asking for the total abolition of all export duties. He held the principle that we should endeavor to encourage as far as we possibly could our home manufactures. He believed it would be a great advantage to the Ottawa Valley if the trade in square timber were materially reduced; and he would be glad to see the day when not one stick of square timber should be sent to Quebec and thence to England, to be manufactured there. He considered it would be in the interest of the country if the square timber trade were abandoned, and the manufacturing done at our own mills, and he hoped to see the day when we should manufacture everything that is made of wood in the Dominion of Canada. He did not believe that either the abolition or the imposition of the export duty would have the effect of damaging the interests of farmers. He believed that lumber was required on the other side, and that we did not pay the duty at all, but that the consumer paid it. Whether we imposed a duty or not would not in his opinion make the slightest difference in the amount exported from Canada, but it would make a difference to the amount manufactured in Canada. If they wished to remove the wooden manufactures from the Dominion and reinstate them among our neighbors, we would be doing that by taking off the export

duty. We knew what they had done to the United States, and when they would not give us an advantage why should we throw off an advantage, and give it to them by the removal of the export duties.

Mr. McDOUGALL (South Renfrew) said although he was interested in the Ottawa Valley lumber trade, which was large and important, he thought there were some other interests in the country besides lumber. He believed that although lumbermen should be sufficiently sensitive to their own interests to see that no disadvantage and no injury was done them, they ought to be willing to admit the rights of other industries and of the same industry in other parts of the Dominion. Before they argued that it was unjust to remove the export duty on oak logs and stave-bolts, and keeping the interests of the lumberman in view, they should show some reasons whereby the removal of that duty would necessarily involve the removal of the duty on pine. It was not enough to say that the removal of the duty on oak logs and stave-bolts would draw attention to and produce the removal of the export duty on saw-logs. It would be time enough to defend it and discuss it when some person asked its removal, or the Government brought down a proposition to remove the duty on pine logs. He thought the proposed removal of the duty would have the effect of enabling persons who certainly had as much right as any lumberman to sell lumber they could not now dispose of. It would enable the people of this country to get a large amount of money that could not now under any circumstances be brought into the country, and he thought in any case where such a reasonable proposition as that was shown it should not be opposed by any one who claimed to be a Canadian. It was the duty of this Parliament to see that all the interests of this vast Dominion should have an equal chance when they come before Parliament. He thought there could be nothing more injurious to the lumbermen—as it was injurious to every other interest—than the fact that when anything comes up in this House the invariable cry should be raised by those engaged in lumbering that it might affect their interests. Instead of doing that they should show directly how this matter would affect the interests of the Ottawa Valley.

Hon. Mr. MITCHELL said he entirely dissented from the principle laid down by the hon. member for South Renfrew. He thought those gentlemen who asked for the removal of the duty on oak logs and stave-bolts should state the ground for requesting such exceptional legislation, and did not include pine lumber. He was not an advocate for the removal of the export duties. He had been a member of the Government that had asked that certain export duties should be placed for certain purposes on particular kinds of lumber, and that principle having been adopted by the Parliament of Canada, if he meant to change that principle and take off the duty the persons asking for the removal should give reasons why the duty should be taken off one class of logs and not off another. He thought the argument of the hon. member for Pontiac had force, and that the removal of the export duty would have a tendency injurious in relation to certain classes of productions on our side of the line, and beneficial to certain classes on the other side of the line. The general principle of the imposition of an export duty was one he did not believe in. He would support the measure of the hon. gentleman would extend the removal of extra taxes from all the clauses in the law as it now stood. He hoped the hon. member the First Minister would give some better reason for the proposition submitted to the House than that the lumbermen of the Ottawa Valley had consented to it. There was another matter to which he would refer. His hon. friend (Mr. CARTWRIGHT) had chosen to occupy a private day by interjecting into this House a Government measure when there were sixty or seventy motions on the paper, and some of which had been standing there for a month.

Hon. Mr. MACKENZIE said the hon. gentleman from Northumberland, two or three sessions ago, had himself asked the House to remove the duty on logs exported from New Brunswick.

Hon. Mr. MITCHELL said the Premier knew that the New Brunswick export duty was removed to enable the Government to carry the Washington Treaty into effect, and the hon. gentleman as leader of the Opposition at that time used his influence to have the measure passed.

Mr. PALMER explained that the sum of $150,000 was given to New Brunswick in lieu of the export duty which she retained under the terms of Union.

Hon. Mr. CARTWRIGHT agreed to a very great extent with the hon. member for Northumberland that there should be a special case made out for interfering with these particular duties. The reasons were briefly these. Very few manufactories exist in Canada, if indeed any at all, for the manufacture of these stave-bolts. It had been shown again and again that the export duty had affected this particular interest injuriously. Having failed of any useful effect and having worked positive mischief, it was thought expedient that these two particular duties should be removed.

Hon. Mr. POPE said the people of the Eastern Townships were placed in exactly the same position with regard to their lumber as those in whose interest this Bill was pressed. There was not a single word expressed with regard to the hardships encountered by the farmers of Norfolk that did not apply with ten times more force, because the quantity was so much greater, to spruce lumber along the frontier. There were many sections where there were no mills, and where the timber could easily be carried down the streams running southward, but for this duty. They had not pressed the abolition of this duty hitherto because they understood the general interests of the country demanded that it should be imposed. It had been asserted, however, that by the passage of this Bill there would be money brought into the country, and every man would have cash jingling in his pockets. Well, why not extend the measure to spruce logs and put cash in the pockets of the Eastern Township farmers ?

Mr. COOK said one would think there was no place in Canada where lumbering operations were carried on except in the Ottawa Valley. Now, there was a large lumbering district on the coast of Georgian Bay, where the lumbermen would be benefitted by the removal of this export duty on saw-logs of all kinds. He asked his hon. friend to extend the amendment so as to include white and red pine saw-logs. This would enable our lumbermen to compete with their Michigan rivals in the export trade of round timber to Eastern markets.

Mr. WHITE (Hastings) thought the remarks of the hon. member for South Grenville deserved some consideration. Certainly there was a good deal of cedar exported from the country which ought to be sawed by our own mills. It would be nothing but fair to put a duty on cedar logs as well as on cedar bolts.

The amendment was lost and the committee rose and reported the resolution which was concurred in.

GOVERNMENT RAILWAYS.

Hon. Mr. MACKENZIE asked leave to introduce a Bill to amend the general Act respecting railways. He explained that the object of the Bill was simply to apply certain provisions of that Act, regarding the expropriation of lands and other matters, to Government Railways generally, in accordance with the recommendation of the Railway Committee.

Mr. BOWELL—Is this Bill confined to railways of a particular length or to all railways ?

Hon. Mr. MACKENZIE—To all railways that are under the control of the Dominion in any way.

The Bill was read a first time.

SOREL CUSTOM HOUSE.

Mr. BARTHE asked whether it is the intention of the Government to comply with the Petition of the inhabitants of the Town of Sorel in the District of Richelieu, (P. Q.), praying for the erection of a Custom House to serve also as a Post Office, and in which building the Inland Revenue and Harbor Masters' offices might in like manner be located ?

Hon. Mr. MACKENZIE — The Government have not come to any decision of that kind yet.

THE WAY-OFFICE AT LAKE SETTLEMENT.

Mr. MITCHELL asked whether the Government have done away with the Way-Office at the Flannagan Settlement, on the road between Richibucto and Miramichi ; and if so, for what reason, and whether they intend to restore it ?

Hon. D. A. MACDONALD—There is no Flannagan Settlement on the books of our Departement. I suppose the hon. gentleman refers to Lake Settlement. At the death of Mr. FLANNIGAN the office was discontinued. Since then there has been no application to re-instate the office. The

Postmaster at Chatham reported to the Department that there is no necessity for the office, and no application having been made the office has been closed.

IMPORT DUTY ON FLOUR.

Mr. FRASER asked whether it is the intention of the Government to impose any duty on foreign flour, imported into and consumed in the Dominion of Canada; if so, when and what amount?

Hon. Mr. MACKENZIE—It is not the custom for the Government to intimate before hand to the House the changes they may propose in the tariff.

DREDGING HARBORS.

Mr. McDONALD (Cape Breton) asked whether, owing to the large amount of business in the coal trade from Port Caledonia and from Little Glace Bay Harbors, and owing to the large amount of private capital invested in those harbors, the Government would send the Government Steam Dredge after it has finished at Lingan, to assist in further deepening the entrance into those harbors respectively?

Hon. Mr. MACKENZIE—The Government have no application of any kind from those places for any of the works indicated. We cannot assume anything about the large amount of business, not knowing what that large amount is. We have no dredge that we can send there, and we are not able to tell when we can have one.

AGRICULTURAL INTERESTS OF THE DOMINION.

Mr. ORTON in moving for a Special Committee on the agricultural interests of the Dominion, said that the subject was one of sufficient importance to demand the serious consideration of the House. The agricultural population of the Dominion comprised two-thirds of its inhabitants, and anything which affected their interests would affect the interests of the whole people. Through the enlightened policy of former Governments, which had been carried out to a considerable extent by the present Government, we had established in this country, home markets to a very large extent. Through the improvements of our inland navigation, the assistance given to railways, which had been very ably sustained by the Local Legislatures communication from one part of the country to the other had become more easy, and transportation had been cheapened. By the action of Parliament the commercial and financial condition of the country had been improved, and our progress had been so rapid during the last eight or ten years, that our large cities, towns and villages now afford a home market for the farmer. We had expended a very large amount of money in procuring this desirable result, a very large portion of which had been paid by the farmers, and it was nothing but just to the agricultural community that they should have the preference in their own markets, over the farmers of a foreign country. The result obtained during former inquiries showed that the farmers of Canada occupied a very unfavourable position as compared with those of the United States, and that the Government had not done its whole duty towards them, and that much might yet remain to be done to place them in a position as favourable as their neighbours on the other side. The exports of farm products from Canada to the United States, on which import duties were paid, were of the value of $12,980,670 for the year ending June 30, 1874, as shown by the following statistics: Barley, 3,745,087 bushels, worth $4,074,553, duty paid $451,763; beans, 89,982 bushels, worth $132,508, duty paid $26,501; bran, 13,989 cwt., worth $27,998, duty paid $5,599; flax, 782,504 cwt., worth $113,256, duty paid $195,625; flax-seed, 15,257 bushels, worth $15,257, duty paid $8,475; flour, 138,845 barrels, worth $802,895, duty paid $160,579; fruit, 31,826 barrels, worth $62,104, duty paid $6,210; hay, 25,904 tons, worth $282,660, duty paid $56,532; hops, 168,951 lbs., worth $40,022, duty paid $8,447; malt, 481,099 bushels, worth $529,208, duty paid $105,841; meal, 9,539 barrels, worth $41,959, duty paid $9,539; oats, 138,125 barrels, worth $57,148, duty paid $13,812; peas, 571,256 bushels, value $452,291, duty paid $57,125; vegetables of the value of $214,622, duty paid $21,462; wheat, 1,874,202 bushels, worth $2,248,200, duty paid $374,840. A very large amount of duties was also paid by our farmers in order to pass animals and their products into the United States. The total duties paid on the imports of Canadian farm products into the adjoining Republic amounted to $2,218,237. The agricultural imports from the United States into Canada, which are admitted

free reached a total value of $18,516.125, during the same period. If duties were levied on these imports at the same rates as the American tariff $2,975,732 would be received, or $500,000 in excess of that paid by Canadian farmers to the United States Treasury. Another point worthy of consideration was the fact that, while it was generally supposed that Canada had a large amount of surplus wheat which was exported, it appeared that the surplus only amounted to the value of $332,683, which divided among two million farmers only allowed 15 cents for each. If the Dominion Government imposed on American produce coming into this country the same rates as were levied by the United States authorities on produce going over the line, a large saving would be effected to this country. When the condition of our farmers was considered it was not to be wondered that the agriculturists in all parts of the country were rising in their own interests and agitating for a policy which would give them greater advantages, and place them in a more favorable position than they at present occupied as compared with the farmers of the United States. It was not surprising that they were asking for a national policy which would not only increase the home markets, but would give them the preference in those markets which they had contributed largely to build up, and when they saw the farmers of the adjoining Republic receive fifteen cents a bushel more for their barley and thirty cents more for their wheat and every article of breadstuff in proportion, that a large number of our farmers were, every year, removing to the United States, where they appeared to obtain a larger return for their labor. It was, therefore, incumbent on the Government to consider this question seriously and inaugurate a national policy that would give our farmers the preference in our home markets. A protective policy for manufactories would increase home markets and thus add to the prosperity of the country. Our imports of manufactured goods amounted to $60,000,000, and it was generally estimated that one-third of those goods consisted of farm products. If we manufactured one-third of that amount of goods we would attract to this country a sufficient number of artizans to consume the whole of our surplus products. The benefit of having, a home market for the farmers was very great, for it was well known that the most profitable kind of farming was that of cattle breeding, by which means the fertility of the soil was improved. That desirable result could only be brought about by developing the internal resources of the country, and promoting manufactures by a policy of protection which would enable the Canadian manufacturer to compete with the rest of the world. It had been proved by experience in other countries that a moderate protective tariff did not increase the price of manufactured goods, although the contrary would, no doubt, be urged by hon. members. In the United States, for example, previous to the inauguration of a protective policy, cotton goods were much higher in price than to-day, and an article which then cost thirty-five cents per yard, could now be purchased for ten cents. The great benefit of a modern protective tariff was that it enabled the manufacturer to have the preference in the home markets, and by encouraging capitalists to invest therein promoted competition which had the effect of reducing the price of the goods; and at the same time a market was afforded to the farmers: not only so, but each artisan employed in the manufactories contributed to the revenue of the country. The result, therefore, was not to impose additional taxation on the agricultural class, but the action of a protective tariff was to provide a home market where the farmer could dispose of his live stock. There were two great classes in the community, consumers and producers, and it should be the object of every Government to obtain as many as possible of both these classes in every country. He could easily conceive of a policy that would have the effect of ruining the country by placing it in a position of being almost entirely producer, and thereby dependent on a foreign market for consumption. Wherever such a policy had been carried out it had been attended with disastrous results. With respect to the free trade doctrines of Great Britain, no doubt enthusiastic advocates of free trade would refer to the benefits which Great Britain had derived therefrom; but if we compared the condition of Great Britain, when it inaugurated that policy, to the condition of Canada at the present time, no intelligent person could for a moment

maintain that the conditions were the same, that because free trade was a wise policy for that country, it would be attended with similar advantageous results in this Dominion. It might be a wise policy for Canada to adopt if it adjoined a country which believed in free trade doctrines, but when the United States established a high protective tariff and closed up the markets to foreign producers as much as possible, it became almost a necessity for Canada to pursue the same policy. Again, at the time Great Britain established the free trade policy the agriculturists of that country were a small class compared with the manufacturing community; manufactories in England having assumed very large proportions in the cities and towns, as was the case at present. The English people did not produce sufficient farm products for their own consumption, and therefore foreign produce was required, and it was wise for that Government to admit foreign breadstuffs free of duty. Great Britain having decided that free trade principles were correct, was willing that those ideas should be carried out in her large colonial possessions, particularly as the colonies would be disposed to trade freely with her, and would not adopt protective tariffs, as against her manufactures, simply out of respect to a policy that was beneficial in her case. He was sure when we came to consider our relations with foreign countries and with the United States, we ought in justice to the people of this country to impose the same duties upon articles they have to send us as they impose upon the same articles we send to them; especially with regard to farm produce. We ought to impose the same duty upon their articles as they do upon ours without any exception. It was true the Maritime Provinces were against such a policy, but he maintained that such sectional feelings ought not to prevail in this country, and he thought it not too much to ask the hon. members of the Maritime Provinces to give up their ideas in reference to this question for the general good of the Dominion. He thought it could not be argued successfully that it would be an injury to the Lower Provinces to impose such duties, because if they were imposed there would be a greater interchange of products between the Provinces. The farm products of Ontario would be carried down to the Maritime Provinces, and coal, fish and other articles would be brought back. The increased trade between the different sections of the Dominion would more than compensate for the loss which might be sustained from the imposition of these duties. It was argued by some that it was absurd to put a duty upon grain and the productions of the farm, because the consumer was the one who actually had to pay this tax. If that were the case why should the Government of this country be so anxious to pay such a large sum for reciprocity in those articles for free trade between the two countries? Because according to that argument it was the consumer who paid the duties and we were not sustaining any loss. But he thought that idea had been pretty well exploded. There were other matters to which he might draw the attention of the House in connection with the agricultural interest, but at this late period of the session he would not detain the House any longer. We import some eight or ten million dollars worth of sugar, and if the Government could by any means encourage the manufacture of sugar from the beet, they would be doing a great service to the agricultural interests of the country. When so much money out of the treasury was being expended, and apparently without any great object in view, he thought a small sum might be devoted to the encouragement of a beet sugar manufactory in this country. He thought the Dominion Government should devote at least $100,000—as much as was voted for the Menonites—for the encouragement of this industry, In France it was one of the chief sources of wealth, not only furnishing occupation for a large number of people in winter, but the refuse from its manufacture was utilized as food for cattle and as manure to enrich the soil. A further advantage derived from its cultivation was the fact that the land on which it was grown was improved for other crops and especially barley. Ontario was becoming a great agricultural centre. We had an agricultural college established by the Local Legislature, and he thought the Dominion Government might establish a sugar beet manufactory in this country. They would find a most favorable spot for such an establishment in the county of Wellington for there was no section where

roots grew so prolifically. The manufactory could only be established with the assistance of the Government, and he thought it was their duty to do it seeing they were expending such large sums of money out of the treasury for other interests, they should do something for the farmers of the country. He thought he had done sufficient to draw the attention of the House to the important question involved in the motion, and concluded by moving that Messrs. BIGGAR, HARWOOD, PERRY, WALLACE (Norfolk), FLEMING, MCQUADE, BURKE GAUDET, MCGREGOR, BUNSTER, ROSS (P. Edward), MONTEITH, COUPAL, FARROW, and the mover, be a Select Committee on the agricultural interests of the Dominion with power to send for persons, papers and records.

Mr. MILLS said this seemed to him a very extraordinary proposition to make at this period of the session—to send for persons and papers at the time when most of the members were endeavoring to get away, and the House would soon be prepared to rise. He had never been able to understand precisely what the hon. gentleman wanted, though he had given some attention to the speech to-day, and he did not see how his motion would benefit agriculture. He believed the hon. Minister of Finance might have had an opportunity of doing something in that way by lessening taxation, and by cheapening articles of consumption if the present financial condition of the country would warrant such a proposition on his part. He did not suppose that the hon. gentleman expected we had the power to make the soil more fertile or the climate more salubrious, or increase the industrious inclinations of the population; and unless we could do something of that sort in one way or the other he did not see what could be accomplished by the motion. The hon. gentleman had spoken about the productions of American industry coming into competition with our own, but that seemed to him to be a very curious matter to complain of. We were an agricultural population, producing more than was consumed by the country. The prices of our agricultural prductions were regulated not by our home markets but by the foreign markets in which our surplus was sold; and while this was the case the hon. gentleman expected that we were going to improve the markets of the farmers, not by enlarging that market but by increasing the prices of that portion of the produce to be consumed at home, and increasing the price on the consumer. He supposed that when we were enlarging the canals at a heavy expenditure, we were doing so not merely for the purpose of facilitating the transportation of the productions of our own industry to foreign markets, because it would not be denied that our present facilities were equal to our own present wants; but we have been laboring under the impression—a very erroneous one according to the views of the hon. gentleman—that it was an advantage to this country to secure the carrying trade of the West, an advantage to our shipowners and an advantage to Montreal (and other cities), which might become a gteat emporium of commercial industry. But this was all a mistake according to the views of the hon. gentleman, for we ought to impose duties on American produce and cereals lest we might be injured by competition. While we were endeavouring to secure this carrying trade, we were by legislation here to nullify our efforts and erect barriers in our own way. The general tendency of our improvements was to diminish the cost of transportation and thus take away the natural protection which this distance imposed. But the hon. gentleman said this was all wrong, that our large expenditure would prove mischievous to the best interests of the country, and, therefore, in order to prevent that mischief arising we should impose duties upon the productions of American industry. This was the way we were to encourage our agricultural interest. We had incurred a large expenditure to aid in the construction of the Grand Trunk Railway, and we had diminished the actual amount of our claims against the Great Western and Northern Railway companies. These railways were not sustained by local trade altogether, but received a large portion of the carrying trade of the West. That in the opinion of the hon. gentleman was wrong, He (Mr. ORTON) thought the agricultural interests would suffer serious detriment, and that a great wrong would be done them if we could not exclude American productions from our markets. He (Mr. MILLS) was an agriculturalist, but the hon. gentleman was not, and he (Mr. MILLS) had given some atten-

tion to the subject and was not aware that it was within the power of this House to impose duties upon the production of the American farmer to foster and encourage the agricultural interests of this country. What Canadian farmers most required was to be let alone. What they needed was that they should be able to get the articles they required at the lowest prices possible. They wanted the liberty to sell in the best markets, and they wanted the equal liberty of purchasing in the best markets. They recognized their obligation to bear their fair proportion of the burdens to taxation. He believed they did this, and he did not think they did anything more. If the time should ever come when the agricultural interests of Canada required further protection in order that they might exist, then the time would come when they should be no longer continued. He did not know that the Government possessed facilities to make that profitable which otherwise would be unprofitable except at the expense of the community generally. Providence had so ordered things that it was not in the power of the Government to tax any people except those they governed, and any taxes they imposed could only be a burden upon their own people if the articles taxed were imported into the country. If we had a surplus of agricultural products, foreign markets regulated the prices for them, and if large quantities of foreign grain were imported, it was only for the purpose of exporting them again. The more traffic passed over our channels of transportation, the cheaper was the price of transport to ourselves. The increase of trade and industry in the country indirectly compensated us for all our expenditures upon canals and public works of that character. If we could by securing the carrying trade of the West double the population of Montreal within the next fifteen years, he apprehended that the 150,000 people who would settle there that otherwise would not be in the country, would bear their fair proportion of the public burden, and that population would pay more than the interest upon the debt incurred upon the improvements that were being made. But of what advantage or use would those public improvements be if we were to impose barriers to the importation of American cereals as the hon. gentleman suggested. The hon. member, to be consistent, should have opposed any appropriation for the enlargement of our canals and building of railways, because everything done to facilitate trade between one point and another and to give cheaper transportation, was doing away with that natural protection which the hon. gentleman desired to compensate for by artificial protection. The motion was one that could not possibly inure to the advantage of agriculture.

Mr. DYMOND said this was a motion of an utterly futile character, and would come to the same unhappy and disastrous conclusion as similar ones that had preceded it. They had all been strangled without coming to any practical result. In 1872 Mr. FRANCIS JONES moved for a committee. Questions were sent out all over the country, and out of some thousands of circulars a few hundreds of replies were received. In 1873 Mr. JONES moved his resolution again, and the result was that there was a debate and an adjournment, and nothing more was heard of it. In 1874 the mantle of the departed JONES was taken up by the hon. member for North Wellington, who obtained a committee. The history of that committee was a melancholy one. In the first place the hon. gentleman nearly came to a dead lock, on a point of order, in his attempt to get the number increased. The good feeling of the House came to his aid, and the hon. gentleman proceeded. After a most painful period of incubation the hon. member found it quite impossible to hatch his egg, and he went with his friends to the manufacturers' committee to ask if it would take the great agricultural interest into its ample bosom and nurse it into life. The Manufacturing Interest Committee, though consisting of large hearted men, was busy about its own affairs. At last the hon. gentleman and his friends, finding it impossible to do anything on their own account, procured the answers obtained to the questions sent out by the abortive JONES Committee a year or two before, and on these documents, which were worthless in themselves, proceeded to found a report. When the adoption of that report was moved, the unfortunate constructors of it were told it was out of order. Strange to say it nevertheless appeared in the votes and proceedings, and the illegitimate bantling of the

hon. member was safely bound up with the legitimate offspring of the session. After that history of committees on behalf of the agricultural interest, the hon. gentleman might have been satisfied to let the matter drop, because if his last report were worth anything, surely he ought to be able to found a motion on that report at the present time. What was another committee wanted for? To send out more circulars and find out if the farmers wanted protection or not? If the hon. member did not know what the farmers wanted, what right had he to occupy the time of the House for an hour on the subject. There were many members in this House connected with agriculture, and they could state what that interest wanted. What did this House want to know about the agricultural interest more than it knew already? The hon. gentleman did not want a committee; he knew if he had one he would have to chase around the lobbies for a quorum and after all might not succeed. His (Mr. DYMOND'S) advice to the hon. member was to rest satisfied with the triumph he had won in delivering a speech that very few had heard, and if next session he was a wiser man he would bring up the subject in such a form as would enable him, if he should succeed in carrying it, to scale the Treasury Benches and form the new Government of of which, no doubt, he hoped to become a distinguished member.

Mr. FLEMING said it was unfortunate that all the Agricultural Committees which had been moved for in this House, had failed to attain the object for which they were intended. He recollected that in 1864 the hon. GEO. BROWN moved for an Agricultural Committee, and that committee was a perfect failure. Neither Conservatives nor Reformers had anything to boast of in moving for such committees. However much they might desire to improve and further the interests of that portion of the community, at all events Agricultural Committees as organized in this House, had never succeeded in accomplishing anything. The true position for agriculturists in this country was not to cry for protection but for a reduction of taxation. Unfortunately, last session the necessities of the Government required an increase of revenue, and additional taxation was put on manufactured goods. Expecting the Reciprocity Treaty no exception was taken to it by the agricultural community, but seeing that there was going to be none, they were now crying out for protection. They contended that if protection was good far the manufacturers it must be good for them. The true policy of the farmers, however, was to oppose all increase in taxation and reduce it whenever it was possible to do so. Suppose a duty were put upon American grain imported into the country, there must be a duty on coal. That would increase the price of manufactures, and the manufacturers would come to this House for an increase of taxation. Now he contended that the proper way was to reduce taxation in order to enable the farmers to raise crops at the lowest possible cost, and to compete with the markets. Anything he could do in committee or otherwise to further the interests of the farmers he would do. If it were possible to increase the fertility of the soil or the resources of agriculture he would regard it as a benefit, but to appoint a committee to sit here and advise that this House should impose further taxation would be futile. But it was contended that it would increase the revenue. Now there was a return showing the amount of duties received from the 7th April to the 31st December from flour, wheat and other grain, and the total amount received for nine months under that tariff was $109,956. At the same ratio the whole revenue from that source for the year would be $146,568. This was all that we should gain for revenue purposes by the imposition of such a duty. Was it worth while to tax the people for that amount? He had heard another argument used—that it would be a retaliatory measure and would force the Americans to open their ports to us. It was well known that when our neighbors abrogated the Reciprocity Treaty that their intention was to force us into annexation. They did not succeed in that, and when we found forty millions of people could not coerce four millions, was it likely that four millions were able to force forty millions of people into the adoption of a policy against their wishes? This motion brought up the whole question of free trade and protection. He contended that our true policy as a country, was to offer all the facilities possible for traffic and trade in the country, and we should then build up the manufacturing interests of the Dominion in the right way. They

would never be firmly established on such a basis, but should be founded on free competition with other countries.

It being six o'clock, the SPEAKER left the chair.

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AFTER RECESS.

PRIVATE AND LOCAL BILLS.

The following Private and Local Bills passed through committee and were read the third time and passed :—

To amend the Act 37-38 Victoria Chapter 115, incorporating the International Express Company.

To incorporate the Metropolitan Insurance Company of Canada.

BRIDGE OVER RIVER L'ASSOMPTION.

Mr. BABY moved that the House resolve itself into Committee of the Whole to consider the Bill to authorize FRANCOIS XAVIER GALARNEAU and others to build a bridge over the River L'Asssomption in the Parish of L'Assomption.

Mr. DYMOND desired to call the attention of the hon. Minister of Justice to the Bill, because he thought when the hon. gentleman had considered it, he would decide that the main subject dealt with was outside of the jurisdiction of the House, or if it were shown that the House possessed such jurisdiction, other matters incorporated in the Bill were clearly beyond the province of the House to deal with. The bridge which it was asked to build was already built, and had been in existence for fifteen years. It was private property, and no one could have access to it, except with permission of the owners. The only ground on which any one could apply to Parliament, and ask for powers to erect and maintain a bridge was that the bridge was to cross a navigable river, the object being to prevent navtigaion it being obstructed The promoters of the Bill did not desire to be put to the expense of constructing a swing or draw to the bridge which was already built, and a clause in the Bill stated that the bridge should not be provided with such machinery as there was no navigation above the bridge. That was the best possible proof that the river was not navigable in such a sense as to entitle Parliament to deal with the subject. The Bill also provided for the levying of tolls, which might or might not be necessary for a bridge. If tolls were not a necessary incidence to a bridge, although they would naturally be associated with it, Parliament had no right to deal with the subject. Moreover, the House was asked to give police jurisdiction in connection with the bridge, not only to protect passengers from being assaulted or interfered with when on the bridge itself, but to protect them on roads and avenues leading therefrom. These, however, were matters under municipal control, and did not come within the domain of Federal legislation. If there were no navigation above the bridge, it could not be a navigable stream, and therefore it was incompetent for this Parliament to say whether a bridge should be constructed over the stream or not. The Bill then went on to provide against the establishment of a ferry in the neighborhood. The Confederation Act explicitly provided that the Federal Parliament should only have the power of establishing a ferry, in certain cases, of which this was not one, and it was therefore impossible that it could enact that there should not be a ferry in this instance. The Bill also conferred certain powers upon the local magistrates—something which was entirely within the jurisdiction of the Local Legislature. The last clause of the measure was of itself a proof that the promoter knew he was asking the House to exceed its powers, for it made the absurd and extraordinary admission that this Parliament was possibly doing something which might conflict with the jurisdiction of the Legislature of the Province of Quebec. There was no doubt that in the past a great many evil precedents had been set in regard to legislation of this class. He remarked that there were a great many legal gentlemen on the Private Bills Committee, and there was in this as in all similar matters an extraordinary affinity between them which made them unite in passing it through. The less they dealt with Private Bill legislation in the Federal Parliament, he contended, the better. When an hon. member called attention, in the Private Bills Committee, to some point in a Bill affecting another Province than that from which he came himself, he was told he was speaking of a subject of which he knew nothing. The rebuke was a fitting one. and was really the strongest argu-

ment that could be put into any man's mouth against this Parliament legislating on local subjects. With regard to the Bill in question, he submitted, that it was beyond the jurisdiction of the House; if that point were decided against his opinion, he would ask that the clauses to which he referred should be struck out; and, in conclusion, he submitted that it contained in reality a proposal that the House should stultify itself.

Hon. Mr. MACKENZIE said he thought the objections of his hon. friend were valid. It was clear the Bill could not be allowed to pass in its present shape. This Parliament had clearly nothing to do with the ferries, unless over a navigable river communicating with the sea. The House had no business to submit anything to a Municipal Council. The House could neither direct them to do anything, nor make any legislation subject to their approval. This whole matter must de dealt with by the Local Legislature, and he felt bound to object to the Bill in its present shape.

Mr. BABY said the provisions of this Bill were exactly the same as those contained in a Bill passed last year for the erection of a bridge over this same river at a point nine miles higher up the stream. That Bill had been submitted to the then Minister of Justice, and approved of by him. Perhaps this one could not be passed exactly in its present shape, but he thought the necessary alterations could be made in committee. The provision regarding the approval of the Municipal Council was inserted at the suggestion of the Minister of the Interior. The stream in question was really a navigable river for three months of the year, and steamers had gone nine miles above it. He called upon his hon. friends from Montreal East, from Drummond and Arthabaska, and from L'Assomption to state what they knew of the necessity of this bridge. He proposed, when the House went into Committee to eliminate the last clause, and insert instead that the whole be subject to the approval of the Governor in Council.

Mr. MACLENNAN, as chairman of the Private Bills Committee, was ready to give a few explanations as to the manner in which the Bill appeared before that committee. It was explained that the river was for a great part of the year navigable, that the land on either side belonged to the parties making application for power to construct this bridge, that a bridge had existed there for some years, that it was in fact a private bridge erected by these parties at their own expense, and maintained by the collection of tolls. The hon. member for North York raised a question before the committee as to the jurisdiction of this Parliament in the premises. Of course that was a nice question of law, but the hon. gentlemen had no doubt whatever upon the point of law. There were some legal gentleman on the committee, but they were far from being quite as clear. The hon. member for North York was always very clear upon all points—particularly upon points of law. The committee had to consider whether they would report against the Bill, and thereby prevent what was represented to be a very useful public enterprise. They thought, and the House would certainly agree with them, that it was not for them to determine a nice point of law with regard to the jurisdiction of this law, and that it was better for them to report the Bill in order that the House might itself deal with it. The committee were further influenced in the course they took by the consideration that during the last session of Parliament a similar application was made to the House, and when the Bill came before the committee it was referred to the Minister of Justice, who made such amendments to it as he thought the circumstances demanded, and the Bill was finally passed. The committee thought they would not be doing their duty to the House unless they followed the precedent which was set them by the committee and the Minister of Justice last year. They therefore determined to report the Bill in the form in which it now stood. With reference to the provision against the obstruction of the navigation, they thought it was only right that some provision on the subject should be introduced into the Bill; and the First Minister would see that it was provided that the arches of the bridge should not be less than five feet above the water level. They might make them as much higher as they pleased, but it had been determined that they should be that high anyhow. The First Minister was not quite correct when he said that navigable streams, according to the interpretation of the British North America Act, were streams which were tidal.

Hon. Mr. MACKENZIE—I did not say so.

Mr. MACLENNAN said the committee concluded, at any rate, that the stream in question was a navigable one, and that the Local Legislature would have no jurisdiction with regard to it.

Hon. Mr. MACKENZIE said he thought his hon. friend would see that it was quite impossible to call this a navigable stream when the bridge over it was only required to be five feet above the water level. No vessel navigating our rivers could pass underneath it. He did not agree that the committee could not consider the question of jurisdiction. Indeed, he was of opinion that that was one of the questions which they had a right to consider, and which they ought to consider. In other committees great care was taken to see that the Bills did not contain unconstitutional provisions, and wherever such provisions were found to exist the clauses containing them were struck out. There could be no reason why the Private Bills Committee should not act upon the same principle, and indeed there were the very strongest reasons why they should act upon it. The Bill now before the House described modes by which penalties might be recovered, and it undertoook to state what were the duties of Justices of the Peace in civil cases, something with which this House had really nothing to do. Then it gave the Municipal Councils the power of deciding whether they should put the legislation of this House into effect or not, That certainly could not be done. The Bill interfered with the powers of the Local Legislature. This Parliament had the right to authorize the construction of a bridge over a stream which was navigable, but when they did that they had reached the extent of their powers. The Bill of last session—with the provisions of which he was far from agreeing—provided that there should be no interference with the navigation, and that the passage of the river should be kept open at all times by the proprietor of the bridge. In order to admit of this being done it was provided that the bridge should be a swing-bridge; so that there was a very great difference indeed between the provisions of the Bill passed last session and that now before the House. But even if the House did last session pass a law which it should not have passed, that was no reason why the same thing should be done a second time. Such legislation as this could not, properly be had in this House, for it was quite clear that even if the Bill passed it would be of no use, at any rate it could not be permitted to go on in its present shape.

Mr. JETTE said he would be very sorry indeed if this Bill did not pass. He knew it was of the utmost necessity that this bridge should exist at the place indicated. A bridge had been in existence there for the last fifteen years and it was at present in a bad condition. If this Bill did not pass the inhabitants would be without the means of crossing the river, and would be practically shut out from the rest of the Province. He believed it was agreed in committee that the clause relating to whether or not the bridge should be a swing-bridge should be modified. His hon. friend from Joliette was prepared with an amendment in that connection which would meet the reqirements of the case. He believed the principle admitted in committee was that this Parliament had a right to grant the privilege of building bridges over all navigable rivers, and having this right it was contended that this Parliament could also grant all incidental powers necessary for the execution of the work. If, however, any of the clauses were unconstitional that could be remedied in committee. He did not think that the Bill interfered with the legislative rights of the Province of Quebec, for it was exactly similar in its provisions to that drawn by Mr. DORION last year. It was, perhaps, true that frequently in legislation of this kind encroachments were made upon the powers of Local Legislatures, which was a very good argument in favor of the necessity which existed for the Bill, introduced by the Minister of Justice this session, to create a Supreme Court. There were Bills, for example, passed by which powers were granted to mortgage property, while it was well known that the regulation of property was exclusively within the jurisdiction of the Provincial Legislatures.

Mr. PALMER thought the depth of the water did not decide whether a steam was navigable or not, because though it might not be navigable by large vessels it might be navigable by canoes and small boats. He considered this was a very

important point, and the interests of the people were largely concerned in it; and if care were not taken in connection with this Bill people might be prevented ferrying across the river. There was doubt about the matter, but it was proper in such a case for the Local Legislature to pass the Act as well as the Dominion Parliament. He thought there was nothing to prevent that being done; and there would be no harm done and they would be sure to be right. There was another objection and a more material one,—that the Bill passed was promoted by the hon. member for Montreal Centre, while this was promoted by the hon. member for Joliette.

Hon. Mr. MACKENZIE thanked the hon. gentleman for his charitable construction, and suggested the committee should rise, report progress and ask leave to sit again, and in the meantime he would give his personal attention to the matter.

The House went into Committee (Mr. HURTEAU in the chair), took a formal step, then rose, reported and asked leave to sit again.

NORTHERN RAILWAY BILL.

On motion of Mr. COCKBURN the House went into Committee on the Bill to consolidate the enactments relating to the Northern Railway Company of Canada, and to provide for the consolidation of the Loan capital of the Company, (as amended by Standing Committee on Railways, Canals and Telegraph Lines.) Mr. KIRKPATRICK.

Hon. Mr. HOLTON called attention to a new clause, (Clause B.) inserted in the Bill, and which struck him as being a very important one if it were not objectionable in itself, which he did not know, though he considered it was objectionable in its form. The Bill repealed a great number of existing Acts of the old Parliament of Canada and of this Parliament as well as of the Ontario Legislature. In this new clause so much of the powers in the repealed Bills as had been unused were revived. It might be all right but he thought it required explanation from the promoters of the Bill.

Mr. MOSS said the object of the clause was to prevent the clauses repealed from effecting any mischief to the company respecting certain things and works that were going on under those Acts and not completed. It was therefore desirable to provide that anything going on should be completed.

Hon. Mr. TUPPER doubted whether they had power to revve, and change a clause in an Act repealed by a preceding clause.

Mr. MOSS said the clause might be more artistically prepared.

The Clause B. was added to the 26th Clause of the Bill as follows:—"It shall be lawful for the company, and they shall have the power to construct and complete any work hereinbefore mentioned as authorized under any of the Acts hereby repealed, which work has been constructed or completed, and the time for the completion whereof was not elapsed before the passing of this Act."

The Bill was reported, read a third time and passed.

MONTREAL, CHAMBLY AND SOREL RAILWAY.

On motion of Mr. JETTE the House went into Committee of the Whole on the Bill for granting further powers to Montreal, Chambly and Sorel Railway Company, and to change its name, (as amended by Standing Committee on Railways, Canals and Telegraph Lines.) — Mr. YOUNG.

The Bill was reported.

CANADA CENTRAL RAILWAY.

Bill respecting the Canada Central Railway passed through Committee of the Whole, was read a third time and passed.

WEIGHTS AND MEASURES.

Mr. JONES (Halifax) desired to call the attention of the Government to the fact that the Act respecting Weights and Measures was going into operation next July. He had made a great many inquiries of members of this House and business people and found that this Act would cause very great and general inconvenience. It had been enacted without ever being asked for by any representative body of the commercial community or the public at large, and he found also that it would cause the greatest inconvenience in the collection of the revenue. It did not apply to the present tariff and would not suit the business community. If the hon. Minister of Finance would make up a calculation reducing the charge on wines and liquors of all kinds to the imperial measure,

and apply the present rate, he would find it would give such fractions of duty as would be very inconvenient to the public at large. He asked the Government to seriously consider whether they should not allow this Act to stand over or repeal it for the present until such time as they could take the tariff into consideration and base it on the measure proposed by the Bill he referred to. It must be obvious that this was a retrograde step. Our largest transactions were with the West Indies, and our neighbors alongside us, where the wine measure was in use. We had made every effort to assimilate our trade customs with those of our neighbours across the border. We had assimilated our currency to theirs adopted the continental gauge for our railways, and now we were adopting a system of Weights and Measures which the old country would be glad to get rid of. We might as well return to the system of pounds, shillings and pence, or hundred weights, quarters and pounds. He would once more urge the Government to allow the matter to stand until the tariff was re-adjusted on a basis which would make it so that it could be calculated without the inconvenience of fractions.

Hon. Mr. GEOFFRION said the law was passed about three years ago, and he did not see how the Government could suspend the operation of the law. It was imperative, and as soon as the standards were procured the Government issued the proclamation, six months after which the law was to go into force. Before this Government came into power the department had contracted for the making of the standards, and as soon as they were received, the proclamation was issued. The law would be in force on the 1st of July next. It had passed both branches of Parliament without opposition, and had never been petitioned against. Without an expression of the opinion of Parliament against it he did not see how the Government could repeal the law or suspend its operation.

Mr. JONES said the hon. Minister of Inland Revenue could not point to one petition for the Act, and it owed its existence to the fact that one energetic officer wanted to make some business for his department. The public were not aware that the law was on the Statute Book. There was not a hundred men outside of Parliament who knew the Act was coming into operation. He paid some attention to public matters, and was not aware until a week before he came to Ottawa that there was such a law at all. If the public knew of its existence, they would flood this House with petitions against it.

Mr. YOUNG was rather surprised that the hon. member for Cumberland, who was really responsible for the measure, had nothing to say in defence of his bantling. So far as the inspection of weights and measures was concerned, he (Mr. YOUNG) was quite convinced there was a necessity for the law being enacted. He was quite certain there was a great difference in the weights used by retail dealers in the country. In many cases they were cheating the public inadvertantly, and in other cases cheating themselves. It was absolutely necessary there should be some system of inspection to do justice to both buyers and sellers, and similar inspection was required with regard to measures for liquids. He had not looked into the Bill so far as it related to the adoption of the Imperial gallon, though it seemed to him on the face of it that there were objections to that particular part of the Act.

Hon. Mr. TUPPER said if he had not made any remarks on the subject, it was because there was nothing before the House. He looked upon such discussions as an abuse of the privilege of drawing attention to these matters when the Orders of the Day were called. When this measure was attacked on a proper occasion he was not at all backward in stating to the House that he held himself entirely responsible, as a member of the late Government for this legislation. No measure had ever been passed by this House upon more indisputable testimony of the strongest character showing its necessity. So strong was the testimony in its favor that it passed the House unanimously, and he was glad to find that the present Government, in the discharge of the duty devolving upon them, had incurred all the expense of putting it into operation. They should take every means of notifying the public that the Act would go into operation next July.

THE VETERANS OF 1812.

Mr. BROUSE brought to the notice of the Government the following paragraph

which he observed in a newspaper :—"A shameful case of swindling is reported from Montreal. It seems that unprincipled scoundrels are buying up claims of the Veterans of 1812-15. In Montmorency several poor and ignorant men were induced to sell their claims for sums of from two to eight dollars." He desired that the Government should speak out on this matter and declare that they would not see old and infirm men, who were weak in mind, thus swindled out of their rights.

Hon. Mr. VAIL said he had stated very explicitly on a former occasion that it was the intention of the Government, and he was sure it would be carried out, to place this money in the hands of those who were entitled to it and to no one else. He was very glad the hon. member had brought the matter up again, because it gave him an opportunity to repeat that the Government felt it their duty to see that in the distribution of this money it would go to nobody who was not formally authorized to receive it. If hon. members should learn, after returning to their homes, of any attempt being made to cheat the veterans out of their allowances, he hoped they would notify him in order that he might ensure the placing the money in the hands of the right parties.

GAMING HOUSES.

The Bill to suppress gaming houses and punish the keepers thereof was read a third time and passed.

TRIALS OF FELONIES AND MISDEMEANORS IN ONTARIO AND QUEEEC.

On motion of Mr. MACDOUGALL (East Elgin) the House went into Committee to consider amendments made in Committee of Whole to the Bill to amend the Act for the more speedy trial in certain cases of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec.

The amendments were read a second time, and the Bill was then read a third time and passed.

PREVENTION OF CRUELTY TO ANIMALS IN TRANSIT.

On motion of Mr. CHARLTON, the House went in Committee—Mr. IRVING in the chair—on the Bill to prevent cruelty to animals while in transit by railway, or other means of conveyance, within the Dominion of Canada.

The Bill was reported, read a third time and passed.

RETURNS FROM RAILROAD COMPANIES.

On motion of Mr. IRVING, the House went into Committee—Mr. CHARLTON in the chair— on the Bill to extend and amend the law requiring railroad companies to furnish returns of their capital traffic and working expenditure.

The Bill was reported, read the third time and passed.

INTEREST AND USURY IN NEW BRUNSWICK.

On motion of Mr. PALMER, the House went into into Committee—Mr. BOWELL in the chair—on the Bill relating to interest and usury in the Province of New Brunswick.

The Bill was reported, read a third time and passed.

SUITS AGAINST THE CROWN.

On motion of Mr. IRVING the House went into Committee—Mr. MACLENNAN in the chair—on the Bill to provide for the institution of suits agrainst the Crown, by petition of right and respecting procedure in Crown suits.

The Bill was reported as amended.

CRIMINAL LAW AMENDMENT ACT.

Mr. IRVING in moving the second reading of the Bill to repeal an Act to amend the Criminal Law relating to violence, threats and molestation, hoped the measure would receive the approbation of the Government. The Bill was one of great interest to a very large class of persons throughout the Dominion. The Act which the Bill proposed to repeal was generally known as the Criminal Law Amendment Act. In 1872 that Act was passed at a period of time when it was supposed very great benefits were conferred on working men by shielding them from those penalties, which it was supposed they might suffer by reason of entering into the combinations known as Trades' Unions. Trades' Unions were legalised in this country by the passing of an Act, copied from the Imperial Parliament, which had legalised them in England. When that Act was passed in England legalising Trades' Unions, the Act now proposed to be repealed laid on working-

men heavy liabilities, against which they had since had ground for serious complaint. In the last session of this Parliament a special committee was appointed for the consideration of that law. The committee reported, and, referring to the Act which the present Bill proposed to repeal, said: "It is nevertheless felt both in England "and Canada that the judicial construc- "tion which has been placed upon the pro- "visions of the Act differs from the im- "pression which had been generally "formed of them, and such construction "has not operated as fairly to the "working classes as the respective Legis- "latures of the two countries intended in "enacting them. And this committee is "of opinion that further and more remedial "legislation is required." The report further went on to say that as there was a Royal Commission pending in England to inquire into that subject, it recommended that at some future session a perfect measure should be framed, giving relief in that particular direction. The Royal Commission had reported in England, but no report had yet arrived in this country whereby its purport could be; but the report, as was plain from the public prints, was wholly unsatisfactory to the working classes, against whom special legislation, of which complaint had been made. Throughout Ontario, (he would confine his remarks to that Province, because he was not aware of what had been done in the other Provinces), in Toronto, Ottawa, Hamilton and St. Catharines public meetings had been held by working men in favor of his proposed legislation, and praying for the repeal of the present Act. The law at present on the Statute Book provided that "whoever in pursuance of any unlawful combination or conspiracy to raise the rate of wages, or of any unlawful combination or conspiracy respecting any trade, business or manufacture, or respecting any person concerned or employed therein, unlawfully assaults any person, he shall be guilty of misdemeanor, and shall be liable to be imprisoned." When the objectionable Criminal Law Amendment Act was introduced into England, the clause he had read, which was also part of the English Law, was repealed, but when this Parliament introduced the Act three years ago, it did not repeal that law. Further, there was an enactment which applied in the Dominion but which did not apply in England at that period, viz, that "whoever in pursuance of any such com- "bination or conspiracy uses any violence "or threat of violence to any person, with "a view to hinder him from working and "being employed at such trade, business, "or manufacture is guilty of a misde- "meanor." The working classes urge, and he thought correctly urge, that the Statute Law as it stood in 1872, and as it stands now, with the additional and offensive Act which was passed and known as the Criminal Law Amendment Act, was sufficient to punish and correct them for all conceivable offences in respect of which they might be guilty, as working men. He agreed with them, and thought it was unfair to working men that they should be specially legislated upon. The effect had been found to be very odious to them. For instance, if under the law, as it is now found to exist, any workman or any servant chose to unlawfully leave his employment the offence was punishable summarily before a magistrate; but if two men agreed to leave the same employment then under that odious Criminal Law Amendment Act, it became a conspiracy, and the offence for which a man was liable under the original law to one or two months' imprisonment, by reason of two men taking offence at the employment they became liable to be imprisoned two years in the penitentiary. The question had engaged the attention of the Imperial Parliament, but all the efforts that had been made on behalf of the working men had, hitherto, been futile. The working men of Canada thought they should not be placed in an analogous position to the working men in England. They believed they should not be legislated against by any tyranical class, and they trusted to the good sense of this Legislature not to allow this session to pass without extending to them a remedial measure. He sincerely hoped that a Reform Government would not disregard so reasonable and proper an application. He therefore moved that the Bill be read a second time.

Mr. MOSS seconded the motion, and in doing so said his hon. friend from Hamilton had, he thought, fairly and temperately stated the case on behalf of the working men. The working men felt that they had a grievance which must be removed in some manner. The history of

the case could be briefly stated. As the law stood before 1872, working men who engaged in a combination for the purpose of exercising an influence upon the rate of wages were liable to be indicted for conspiracy. Various prosecutions of extreme hardship had taken place while that state of the law existed. The working men remonstrated vigorously against this injustice, and so manifest was the injustice of their case, that the Government of the day, in England, introduced a Bill which removed the obnoxious interpretation which had been placed upon the law regarding conspiracy, and enabled the working men to combine lawfully for certain purposes beneficial to themselves, and not injurious to society. But to that law was annexed an Act of which that on our Statute Book was a transcript, and now formed that part of our law which his hon. friend desired to repeal. The Trades Union Act undoubtedly conferred a great boon upon working men. It liberated them from the operation of the severe construction which the courts had placed upon the law of conspiracy; but the Criminal Law Amendment Act subjected them to provisions of an extremely stringent character. In one breath the Legislature gave them rights and struck a blow at their liberties. It might be said in a general way that the statute under consideration dealt with three classes of offences—assaults, threats, and a nondescript species, which the Legislature had not defined, and which he would not attempt to define. He preferred that hon. members should hear the very words of the statute in order to understand what the clause in question actually involved. The statute enacted that every person who used violence to any person or property; who threatened or intimidated any person in such a manner as would justify a Justice of the Peace on complaint made, to bind over the person threatening or intimidating to keep the peace; or who molested or obstructed any person with a view to coerce in certain directions, left exceedingly indefinite, would be liable to imprisonment, with or without hard labor, for three months. It then proceeded to describe, still as he thought too indefinitely, what conduct on the part of those to whom the statute was intended to apply should be deemed as constituting molestations or obstructions. It must be remembered that this Act was passed contemporaneously with the Trades' Union Act, and with the ostensible purpose of preventing that Act from being worked mischievously. This was the object which the powerful employers in England had in their view when they induced the Legislature to pass the Act. While they were compelled, in obedience to the will of the people, to accede to the legalising of Trades' Unions—while they were compelled to permit working men to unite in a peaceful manner for the promotion of their own interests—they succeeded in passing this severe measure, with the purpose and the knowledge that its presence on the Statute Book would prevent the Trades' Union Act from being of any benefit to the working men. The practical result had been that the Criminal Law Amendment Act had never been invoked except when a difficulty occurred between employer and employed. Whenever working men believed that they were not receiving justice at the hands of their employers, and when they took the steps which they considered necessary to remedy that injustice and assert their rights, when they brought into action the machinery which the Trades' Union Act permitted them lawfully to create, and which it was intended to enable them to employ, the provisions of this harsh and stringent Criminal Law Amendment Act were invoked against them. It was true that the report of the Committee of this House, to which his hon. friend had referred, stated that no serious case of hardship was found in this country under the Act. That was accounted for by the fact that employers in this country had not been, generally, willing to enforce its harsh and stringent provisions against those whom they employed; nevertheless the Act stood upon our Statute Book, and it continued to stand there with all its odious provisions, so unjust to the working men, and so calculated to destroy the rights they had been led to expect under the Trades' Union Act. It was naturally viewed by them as a standing menace and insult. He asked the House to consider the exceptional nature of its provisions. The first part of the statute provided for cases of mere assault and injury to property. It further penalized in a special way unknown to the general law. The use of any violence, however slight, if used

with a view to coerce masters or workmen to do certain specified things. The law had already provided adequate means of punishing any man who used violence towards another, varying the punishment according to the extent of the injury done. If violence were offered under the provisions of this Act, no matter how trifling in character, the accused was liable to imprisonment, with or without hard labor, for a term of three months. In England the construction placed upon the Act had led to cases of extreme hardship. He would presently refer the House to some he had been able to find in the English papers. It was indeed said the provisions of the Act were not in themselves so dangerous to the rights and liberties of working men as they were now commonly supposed to be, but that the interpretation usually put upon them was a strained and harsh one. This was a convenient plea for those who desired to retain the law, by shifting the responsibility of its results to the magistrates upon whom its enforcement devolved. He was of opinion that the provisions were not such as should remain in our Statute Book. They were so vague, and admitted such generality and width of interpretation that he thought no working man should be exposed to their grasp. He had pointed out the vagueness of the phrase "use violence to any person or property." If violence were used, as he had already shown, it was punishable under the existing state of the law. The Act said that if a person molested or obstructed any other person in the manner defined by different sections, he should be liable to the penalty specified ; and it also pretended to define what should be deemed a molestation or an obstruction. It was stated, for example, that it was a molestation and obstruction for any person to follow another person about from place to place. These words were extremely vague, and, still worse, the interpretation of the statute was left not to the Judges of the Superior Court—not to trained Judges of high capacity and complete independence—but to magistrates, who may have intimate relations with the employers. The House would understand exactly, without further explanation, how that might work. When a strike occurred, and except during a strike the Act was sure to be a dead letter, the men who had ceased to work were disposed to follow those of their fellow-workmen who did not join them, and whose abodes they did not know. They often wished to become acquainted with their residences, not from any design to injure them, but because they were desirous of knowing the influences by which they were surrounded. Under certain circumstances he was prepared to admit that might become a molestation or obstruction, from which the law was bound to protect a man who was unwilling to unite with his fellows in a particular course of action. But what he did argue was that the law should not be left so extremely vague, that a police magistrate or justices of the peace could be called upon to declare when a molestation or obstruction was sufficient in degree to entitle them to send an accused person to prison with hard labour for a period of three months. Another sub-section imposes the same penalty upon a person who hides any tools, clothes, or other property owned by another, or deprives him of or hinders him in the use thereof. That provision was also dangerously vague and indefinite, but its indefiniteness sank into insignificance when compared with the third sub-section of that section, which enacts that if he watch or beset the house or place where a non-unionist resides, or works, or carries on business, or happens to be, or if he approaches such a house or place, or if, with two or more other persons he follows another in a disorderly manner through a street or road, he is subject to the penalty. He ventured to say that no working man should be left at the mercy of a magistrate who had the power of dispensing what was called justice under a law worded in this fashion. He would now mention to the House some cases in which, since the Act had been put in operation in England, sentences of extreme injustice and harshness had been pronounced. In one case seven men were sent to prison in Perth, for endeavouring to influence by argument and persuasion a fellow working man who refused to unite with them in leaving work, and insisted upon remaining in employment at the place of business which the accused had left. It was shown in evidence that they used no force, that they had been guilty of no violence that they had resorted to no threats, that all the influence they had brought to bear was that of argument and persuasion. They

said in effect you should not work at the rate for which you are working. You came into our union, you bound yourself to comply with its regulations, and now when the hour of danger comes, are you going to abandon us? Now, when union would be effective, will you assist disunion? These and similar arguments were all that had been employed by these men, and yet they were sent to gaol for a considerable period. In another case a number of women in one of the mining districts of England were sent to prison upon evidence still more vague and unsatisfactory. The sole proof against them was that they were near the mouth of a pit, that shouts were directed against a miner who had refused to join in a strike, and his sworn testimony amounted to this: "I heard shouting, but I could not say from whom it came." It was, however, considered to be proved that these women were the only persons in the neighborhood from whom the shouting was likely to have proceeded, and that they were the wives of the men who were out on strike, and the magistrate thereupon undertook to find them guilty under this Act, and to commit them to gaol. Another prosecution was instituted against a person for distrbuting hand bills. They did not contain anything offensive or anything tending to a breach of the peace, but simply endeavored to place the views of the Unionists before their fellow workmen, warning them of the consequences to themselves of refusing to join in a body in an endeavor to gain the point for which they contended. The language which was considered sufficiently obnoxious to be punishable was somewhat as follows, if his memory served him right:—"By refusing to join you will injure your fellow workmen and yourselves." The magistrate declared it was a molestation, a sort of coercion, an inducement to the working men to adopt a particular course of action, and therefore it came within the vengeful arm of the statute. He ventured to say that no statue that admitted of such a construction being placed upon it by any magistrate should remain upon our Statute Book. In fact, whenever a difficulty arose between employer and employed the magistrate was, so far at least as English experience went, only too ready to assume coercion, and the slightest vestige of proof satisfied him that there was an offence, thus he could severely punish a working man and enforce to the utmost the provisions of this extremely stringent law, even when working men believed they were within the privileges of the Trades Union Act, and were only doing what they reasonably deemed to be lawful. There was one other illustration which the House might derive from another sub-section. It was made an offence if there was a molestation, or obstruction, or following about, or watching a house to coerce a person being a workman, to pay any fine or penalty imposed by any association or combination of working men. This was a fine array of words. One would suppose it was intended by the first part to bring everybody, employer as well as employed, within the grasp of this law, but they must well know that the law was not put in force against the employers. Practically it was directed against working men and against Unionists. He asked them to observe the provision which affixed a punishment to any attempt to induce a workman to pay the fine imposed by the Trades Union to which he might belong. There seemed to be no doubt that if a workman had been fined by his Union, if he had ceased to attend the meetings of the Union, if he had disolved his connection, but if, nevertheless, some of his friends in the Union assumed to advise him that he had better resume his connection with his fellow-workmen, and told him he ought not to leave the Union, that he ought to pay his fines, or that otherwise his severence from the Union would be permanent, and that the Union men would not work with him. This was coercion under the Act, and would entitle the magistrate in strict law to send the person who used such form of inducement or argument to gaol at hard labor for three months. The Act had not removed in the statute book in England without the strongest efforts by the working men and the friends of the workingmen to obtain its repeal. In 1872 the House of Commons appointed Sir WILLIAM HARCOURT, Mr., now Sir HENRY JONES, Mr. MONDELLA, and two other gentlemen to prepare a Bill. They did prepare a Bill modifying the law. It was submitted to Parliament upon a first reading, but at a very late period in the session its opponents succeeded by Parliamentary manœuvres to prevent its being fairly brought before and discussed by the House

that session, after that, a commission was issued, which had recently reported but the report had not been laid before this House, and whether it would or would not assist the House in coming to a conclusion upon this grave question it was impossible to say. It might prove to be of no assistance to the deliberations of this House, but he was free to admit that it might be of value to the Government in suggesting a modification of the present objectionable law. He did not contend that some legislation other than an absolute repeal might be required. He did not argue that it might not be necessary to enact some provisions against a possible abuse of the powers which might be set in action by unions under shelter of the Trades Union Acts. He saw no reason to apprehend such abuses from the utterances or acts of those concerned, but he had sufficient faith in the intelligence and justice of the working men of this country to feel assured that they would not object to any measure which had for its object the prevention of any abuses. He thought that in the general interest it might be necessary to introduce such a measure. There might be difficulties in the way of its being duly considered this session, but that was no reason why working men should be subject to this statutory menace and insult, or why a law so unjust in its provisions, so incapable of precise definition, and so liable to abuse, should be permitted in the meantime to continue in force. If there was not time to perfect a modification of the law the House could declare that the law was unjust and should not remain on the statute book. He was not prepared to say whether the Bill of Sir WILLIAM HARCOURT would be acceptable to the working men of this country. He did not know what were their views on that point. He did not know whether they had had a fair opportunity of considering it, But speaking for himself, he was bound to say that so far as it sought to alter the particular Act now before the House, it did not seem to make any very great change in the existing law, or to be sufficient to satisfy the just expectations of working men. But with certain enlargements, not difficult of suggestion, it might suffice. The existing law was unfair, unjust, and altogether uncalled for by anything done by the working men of Canada, and it would, therefore, in the absence of any measure removing its obnoxious features, be his duty to vote for its repeal.

Hon. Mr. FOURNIER said the Bill introduced by the hon. member for Hamilton was a very important one, and was connected with one of the most important social questions of the day—the question of labor. At the time the Bill was introduced, he might be permitted to remind the hon. member, it was considered a great boon to the working classes; but they had not had the law long when they found it was an unfortunate present, for under it some men had been sent to gaol with hard labor. Hon. members must not forget the circumstances under which the law was introduced into this country. It had been literally copied from the English law on the same subject. We had two Acts relating to the working classes, by one of which they had succeeded in making lawful meetings for the discussion of their own interest and of effecting unions, and thought it was a great concession made to them. On the other hand the employers obtained a law making it an offence to interfere with other men at work or using violence to compel themt o leave work. Undoubtedly some legislation was necessary. He did not pretend to say that it was not proper legislation that had been adopted in England, but he was free to admit that this legislation was of too harsh a character for the circumstances of this country. Its provisions were too stringent and punishment a little too severe. The offences were not sufficiently defined, too much was left to the magistrate and in that respect the law should be amended. It was a very difficult subject to deal with, and while he was as anxious as any man to help the working class to secure proper legislation to enable them to discuss trade questions among themselves and also with their employers, at the same time, he must admit there were offences that must be reached and punished. At this late period of the session it would be extremely difficult to deal with a subject of so serious and intricate a character, but the subject would be taken in hand by the Government and they would modify the legislation complained of so much.

Mr. IRVING said the Bill of which they complained was introduced in this Parliament in 1872, and went through all the stages in one day. Therefore the working men would say that if it was

reasonable to pass such a law in one day, the same Parliament could devise a remedial measure in the eight or ten days he supposed was still left us before prorogation. If the hon. Minister of Justice would say that he would examine the Bill put forward by Sir WILLIAM HARCOURT and others who espoused the cause of the working men in England, and presented to the House and used the influence at his back to pass it, if in his opinion there was time, and it was a proper Bill to pass, he would not feel justified in proceeding with his motion. On the other hand, if the Hon. Minister did not feel justified in accepting the proposition in the spirit he desired, he must take the liberty of pressing the Bill.

Hon. Mr. FOURNIER said he had not had time to examine the Bill, but from the cursory reading he had given it, he believed he could make the undertaking he (Mr. IRVING) desired to have made.

Mr. IRVING suggested the second reading of his Bill now, and he could drop it when the Hon. Minister of Justice brought in the new Bill.

Hon. Mr. BLAKE suggested that the debate be adjourned; and this was done.

INSPECTION OF FISH.

Mr. FORBES moved the second reading of the Bill to amend the Act to make better provision for the inspection of certain staple articles of Canadian produce. He said the Inspection Act passed last year was rather obnoxious owing to certain compulsory clauses for the removal of which they had made unsuccessful efforts. He considered the compulsory clauses had had the effect of rendering the Act almost nugatory. In Nova Scotia only six inspectors been appointed for six out of eighteen counties, only a third of the Province was therefore under the operations of the law; and this was very inconvenient because fish had to be inspected before it was exported. In New Brunswick, with much larger area and much larger fishing interests, there were only two inspectors appointed. This compulsory clause required the inspection of pickled fish in the county in which the fish was prepared. This was inconvenient, and the people found that if they sold their fish without first going to an inspector they were liable to a fine of $5. He thought the compulsory clauses should be removed. The Hon. Minister of Inland Revenue had proposed an amendment that would be satisfactory to the Province of Quebec—from which there had been the strongest opposition before—and he believed it would be satisfactory to all the Provinces.

Hon. Mr. HOLTON suggested that the Bill should be sent to the Committee on Banking and Commerce.

Mr. JONES (Halifax) hoped that view would not be pressed. As the Act stood on the Statute Book it could not be worked. In many counties the machinery for inspection had not been provided. For instance, in Lunenburg no inspector had been appointed, and the law only provided that inspection should be compulsory where an inspector was appointed. In Halifax county, inspectors had been provided, and the result was that fish could be exported from Lunenburg without inspection, which could not be done in Halifax county. The Bill before the House provided that inspection should not be compulsory when the fish were sent out of the Dominion. He did not see why inspection of fish should be compulsory when the inspection of other staple articles was not. This Bill should be dealt with now and the principle of it either affirmed or rejected. If it were sent to the Committee on Banking and Commerce it might not reach the House in time to have the suggestions of that committee acted on.

Hon. Mr. MITCHELL said this was a Bill which in his judgment should be taken up and dealt with by the Government. It should not be allowed to be dealt with by a private member of this House. Great difficulties had been experienced in the working of the law in relation to the inspection of fish in remote localities. In such places as Shippigan, Caraquet and other ports in New Brunswick there was no inspection. When fish were sent to Montreal or other places to be shipped for exportation they must be inspected again. This involved an additional charge for cartage, inspection fees and cooperage of one dollar per barrel. Moreover, the fresh water of the St. Lawrence when used for pickling spoiled the fish. Our fishermen desired to have a simpler mode than the present one, of leaving inspectors in districts where the fish were put up, and not to be compelled to have their fish inspected in Montreal and Quebec. But

there was a greater difficulty than this. While the Act on the statute book made the inspection of all fish caught and cured in Canada compulsory, fish coming from Newfoundland, St. Pierre, Miguelon, or the United States, could be sold in our markets free from inspection. This was unjust to our own fishermen. He had put a notice on the paper a month ago, which had not yet been reached, calling the attention of the Government to the necessity of amending the Act, either by removing the compulsory clause or, if it were continued, by making it apply to fish imported from Newfoundland, the United States and St. Pierre, Miguelon. The effect of inspecting the fish at Montreal was thus stated to him by a practical merchant of Montreal: Where goods were ordered including say, a dozen barrels of fish, he had been compelled invariably during the last year to decline to fill the order for fish, because in almost every instance in which he had done so, some of the barrels in which the St. Lawrence water had been used had proved to be unsound. The trade of Montreal had declared the present system was not satisfactory to the trade. While he (Mr. MITCHELL) quite agreed with the hon. member for Queens that the law should be remedied, he thought that it was a matter which should be dealt with by the Government. The original Act was a Government measure and should be amended by the Government. Isolated legislation of this kind ought not to be permitted in such an important measure, affecting the trade of the country. He hoped, if this Bill was referred to the Committee on Banking and Commerce, that the Minister of Inland Revenue would take charge of it, and not only deal with the amendment proposed by the hon. member for Queens, but also place our fishermen on an equal footing with those of Newfoundland and the United States.

Hon. Mr. MACKENZIE said he did not subscribe to the doctrine that a Bill introduced by the Government must necessarily be amended by the Government. That would preclude all independent action by members of this House in reference to Bills of importance. The only thing the Government had specially to do was to guard the public interest in all Bills introduced. The hon. Minister of Inland Revenue had so guarded the public interest by informing the hon. member for Queens that the Bill could not be accepted as it was, and afterwards arranging with him one that could be accepted. He agreed with the hon. member for Chateauguay that the Bill should go to the Committee on Banking and Commerce, and the hon. member for Halifax need not fear that the Bill by going there should suffer defeat.

Mr. JONES (Halifax) pointed out that under the Bill the inspector would only be required to test ten barrels out of every hundred. With respect to Newfoundland fish, the large packing firms stamped their packages with their private brands, and their guarantee was as satisfactory as inspection by a local inspector.

Hon. Mr. MITCHELL said the practical experience of Canadian merchants was, notwithstanding the guarantee of the Island firms, that large quantities of the Newfoundland fish sent through the country were unsound.

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

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at 11.30 p.m.

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HOUSE OF COMMONS,

Thursday, March 25th, 1875.

The SPEAKER took the chair at three o'clock.

QUEBEC GRAVING DOCK.

Hon. Mr. MACKENZIE moved that the House go into Committee of the Whole to consider certain resolutions for the purpose of revoking the power given to the Quebec Harbor Commissioners under the Act 36 Vict., Cap. 62, Sec. 23, and providing other means for raising the sum requisite to defray the expense of constructing a Graving Dock in the Harbor of Quebec.

Hon. Mr. TUPPER asked whether the site of the Graving Dock had been fixed.

Hon. Mr. MACKENZIE replied that it had not. He proposed consulting the Montreal Harbor Commissioners who were to pay part of the charges, as well as the Harbor Commission of Quebec, and to

endeavor to arrive at the selection of a site that would meet the commercial requirements of the river as a whole without regard to sectional interests, except so far as was necessary to obtain the best possible site. He had received a semi-official communication from the Acting Chairman of the Montreal Harbor Commission indicating the place where the dock should be erected. It agreed with the opinion expressed by the Quebec Commissioners when he (Mr. MACKENZIE) was there last summer. These resolutions provided that the selection must be approved of by the Governor in Council. The Montreal Commission had agreed to pay $5,000, the Quebec Commission paid a similar sum, and all the revenues went to make up the amount required for the payment of the cost of the dock. This being so it was only fair the Montreal Harbor Commissioners should have a voice in the selection of the site.

Hon. Mr. TUPPER regretted to hear the statement made by the First Minister because he thought Parliament was not only entitled to know in a matter of this kind the site for the proposed work, but also to have some idea of the cost. It would be recollected that on a recent occasion the hon. member for South Bruce took exception to entrusting the Government with the power of exercising their own judgment in regard to the construction of a public work.

Hon. Mr. MACKENZIE—What work?

Hon. Mr. TUPPER—The Baie Verte Canal. He (Mr. TUPPER) was not going to revive that question because, it had been disposed of already, but if the objection might properly be urged against the Government being entrusted with the power to go on with a public work provided for by Parliament, until the House was given the information asked by the hon. member for South Bruce. They had a right to refuse to sanction this measure until the Government should explain how they proposed to expend it, and how much money would be required. The subject of this Graving Dock was not a new one. The Government had in their possession very full information in regard to this matter. It had been brought again and again before the notice of the Government. It had been made the subject of reports by engineers of the Government, and by very distinguished engineers from Great Britain. The work itself was not one of great importance or very considerable magnitude, but the question as to whether it should be erected in Quebec or Levis was one of very great consequence to the public, because the amount of money in one case would be something like fifty or sixty per cent. more than in the other. Now he thought that in relation to this the House was entitled to a statement from the Premier before he asked for this authority from Parliament, that they might know whether the site chosen by the very highest authorities and impartial tribunals at Point Levis, or a site which perhaps would be more approved by a number of gentlemen on both sides of the House, in Quebec, but which would involve a much larger expenditure of public money. It was one of those cases in which the Government having the means of forming an opinion, ought to take Parliament into their confidence and inform them where the site was to be, and what amount would be necessary for the construction of the work. He learnt from a communication he had received from one of the Harbor Commissioners of Quebec that not only had the officers of the Imperial Government, who were deeply interested in this matter, decided upon Point Levis as the proper location for this work, but that seven out of the nine Harbor Commissioners of Quebec—the men he supposed the best qualified to judge what site should be selected—concurred in the opinion expressed by the Imperial officers in relation to this work. He regretted that under such circumstances the Premier was not in a position to state to the House whether the best location would be chosen, or whether that was to depend upon the amount of political pressure brought to bear upon the Government by parties in this House or outside of it. There were gentlemen in this House to whom the Government would be disposed to defer a good deal, who were ready to exercise all the influence they could bring to bear upon the Government, and he hoped the Premier would invoke the assistance of the House if necessary against any pressure that might involve a very large increase in public expenditure. The engineers' estimate for a dock on the Levis side at St. Joseph, 500 feet long, was £88,900 sterling, and for a dock 850 feet long, £104,000; for a

dock 500 feet long at Diamond Harbor, the estimate was £110,000. This was the information furnished to him by one of the Harbor Commissioners of Quebec.

Hon. Mr. MACKENZIE called the attention of the House to the fact that this was not a public work and that the Government would not spend any money on it. They merely borrowed money to pay over to the trust, which amount would be repaid. The Graving Dock was in no sense a work which the Government had undertaken, or in which they proposed to spend a dollar of the public money any more than the harbor works of Montreal, for which the Government had borrowed money and charged interest. As to whether seven of the nine Harbor Commissioners of Quebec were in favor of one site or another he had no means of knowing. The Harbor Commissioners had not communicated with the Government further than sending a report of the engineers whom they invited from Liverpool to report upon the site, and their report stated, not as the hon. gentlemen said, a difference of fifty or sixty per cent in favor of Point Levis as compared with Quebec, but a difference of only twenty per cent or £20,000, and they confessedly did not possess very exact information as to the Charles River site. As to the Government giving exact information to the House, if the Government were carrying out the work themselves they would only be obliged to give the information they had afforded to the House. The proposition was to build the Graving Dock in the harbor of Quebec, and the House could not desire exact information as to the site, any more than it would desire exact information as the site of the public building to be erected in Montreal or Halifax, respecting which it would be enough to state that the building was to be erected in Halifax, for example, at a certain cost, the Government not being required to name the street or the number of the lot. But the Graving Dock not being a public work but merely a work to be done by an official board in trust, the Government were still less necessitated to make particular specification of the exact location, it being quite sufficient to say that it was to be constructed in the harbor of Quebec.

Hon. Mr. TUPPER thought the reply of the hon. First Minister was not in point. Any work for which the Government pledged the credit of the Dominion, no matter in what way the money might be recouped, he held to be a public work. The hon. gentleman had admitted there was a difference of 20 per cent between the two sites.

Hon. Mr. MACKENZIE said that his statement was only to the effect that between the two locations mentioned by the engineers in their report there was a difference of £20,000; but he did not say there were only two sites which might be selected.

Hon. Mr. TUPPER said the hon. gentleman was, therefore, not able to state whether the difference might not be 20 per cent or 50 per cent as between different sites.

Hon. Mr. MACKENZIE said he was not able to state there would be any difference.

Hon. Mr. HOLTON asked for an explanation as to how the hon. member for Cumberland would submit the questions to the House.

Hon. Mr. TUPPER said he would submit a proposition setting forth that a Graving Dock would be constructed at a certain place to cost a certain sum, and would not come down to the House with a proposition to construct a Graving Dock without stating whether it would cost £50,000 or £100,000.

Hon. Mr. MACKENZIE said the hon. member in 1873 asked authority from Parliament to borrow one and a half million dollars to build docks in the harbor of Montreal, without stating the site. The Government would be bound to see that the location of the dock in Quebec harbor was such as would best meet the public interest, and they would arrive at a conclusion which would meet the views of mercantile men.

The House then went into Committee of the Whole, Mr. THIBAUDEAU in the chair, and reported the resolutions.

INSOLVENCY.

On motion of Hon. Mr. FOURNIER, the House went into committee to insert further amendments in the Insolvency Bill, Mr. McKAY (Cape Breton) in the chair.

Hon. Mr. FOURNIER moved that the Bill be amended by striking out bleachers, carpenters and cow-keepers from the first

clause, and inserting miners and master quarrymen.

Mr. GOUDGE stated that the word "master quarryman" did not meet the case, and suggested that it should be made "quarryman" and "operators in plaster." There was not a clause in the Bill that would meet the circumstances of those engaged in that business.

Hon. Mr. FOURNIER said he believed he had gone as far as he could to meet the views of the hon. gentleman. The suggestion made was of a vague and uncertain character. What was an operator in plaster? What kind of an operation did he perform?

Mr. GOUDGE suggested that the word "shipper" should be included in the list for they did in his Province a large business, and a business of considerable risk. They were not agents or traders, and were not buyers and sellers.

Hon. Mr. FOURNIER raised a point of order. The Bill had been referred to committee for the special purpose of inserting two amendments, and any other amendments could not be made in this committee.

Mr. MOUSSEAU wanted to know if building societies were included in the category of traders.

Hon. Mr. FOURNIER said if they were traders of course they would be submitted to the action of the law.

Mr. MOUSSEAU said Art. 369 of the Civil Code applied to them, and they should be exempted from the action of this law.

Hon. Mr. MITCHELL wished to present to the committee his idea of what the first section of the Bill ought to be. On a former occasion when the Bill was under the consideration of the House, he had stated that he believed all those enumerated professions and occupations should be struck out, and the general term of "all traders" substituted, and he thought non-traders should have the advantages and disadvantages of the Bill. The general term of "all traders" was very well known, and very generally accepted, and could be placed in the Bill instead of the enumerated list. His opinion was, that not only traders, but non-traders should have the benefit of the Bill, and that all persons in the Dominion, whether engaged in merchandise or not, if they showed they had acted fairly, should be entitled to receive the benefits and advantages of the Bill.

Sir JOHN MACDONALD said the Bill had been referred back to Committee of the Whole for a certain purpose, and no other could be entertained.

The amendments were then adopted.

Hon. Mr. FOURNIER moved that the 27th clause :—"The Governor in Council may appoint in the several Provinces of Canada, except the Province of Quebec, one or more persons to be Official Assignee or Assignees in and for every county, and in the Province of Quebec such appointment of Official Assignee or joint Official Assignees shall be made in and for each judicial district of the Province, except in each of the districts of Montreal and St. Francis respectively. Such appointment may be made for such district or for one or more electoral divisions of the same.

Hon. Mr. MITCHELL asked why Quebec should have exceptional legislation.

Hon. Mr. FOURNIER said it was because an Official Assignee was not required for every county in that Province.

The amendment was adopted, and the committee rose and reported the Bill as amended. The amendment was read a first and second time.

Mr. BOWELL moved that the Bill be referred back to Committee of the Whole for the purpose of substituting the following for the first clause :—"This Act shall apply to all debtors and to all co-partnerships and companies whether incorporated or not, except incorporated banks, insurance, railway and telegraph companies and debts incurred by breaches of trust."

The House divided on the amendment which was rejected by the following vote :—

YEAS :

Messieurs

Bourassa,	Mitchell,
Bowell,	Monteith,
Brown,	Montplaisir,
Burk,	Oliver,
Cook,	Orton,
Costigan,	Palmer,
Coupal,	Pinsonneault,
Cunningham,	Platt,
DeCosmos,	Pope,
Dugas.	Rochester,
Farrow,	Roscoe,
Ferguson,	Ryan,
Fleming,	Rymal,

Gaudet, Gibson, Gillies, Little, MacDonnell (*Inverness*), McCallum, McCraney, McQuade, Scatcherd, Shibley, Stirton, Thompson, (*Haldimand*) Wallace (*Norfolk*) White, Wright (*Pontiac*),—41.

NAYS :

Messieurs

Appleby, Aymer, Baby, Bain, Barthe, Béchard, Bernier, Bertram, Biggar, Blackburn, Blain, Blake, Borden, Borron, Bowman, Buell, Burpee (*St. John*), Burpee (*Sunbury*), Campbell, Caron, Cartwright, Casgrain, Cauchon, Charlton, Church, Cimon, Cockburn, Colby, Cushing, Cuthbert, Davies, Delorme, De St. Georges, DeVeber, Dymond, Ferris, Flesher, Flynn, Forbes, Fournier, Fraser, Galbraith, Geoffrion, Gill, Gillmor, Gordon, Goudge, Hagar, Hall, Harwood, Holton, Horton, Huntington, Hurteau, Higginbotham, Irving, Jetté, Jodoin, Kerr, Killam, Kirk, Kirkpatrick, Laflamme, Laird, Lajoie, Landerkin, Langlois, Lanthier, Laurier, MacDonald (*Cornwall*), Macdonald (*Glengarry*), Macdonald (*Kingston*), Mcdonald(*CapeBreton*), Macdougall (*Elgin*), McDougall (*Renfrew*), MacKay (*Cape Breton*), McKay (*Colchester*), Mackenzie (*Lambton*), Maclennan, McGregor, Metcalfe, Mills, Moffat, Moss, Mousseau, Ouimet, Paterson, Pelletier, Perry, Pettes, Pickard, Pouliot, Power, Pozer, Ray. Robillard, Robitaille, Ross (*Durham*), Ross (*Prince Edward*), Rouleau, Scriver, Sinclair, Skinner, Smith (*Peel*), Smith (*Selkirk*), Smith (*Westmoreland*), Snider, St. Jean, Taschereau, Thibaudeau, Thomson, (*Welland*), Tremblay, Trow, Tupper, Vail, Wallace (*Albert*), Wilkes, Wood, Young—119.

Mr. Bourassa

M. BOURASSA propose, secondé par M. BECHARD, "Que le Bill ne passe pas maintenant, mais qu'il soit renvoyé à un comité de tout la Chambre, avec instruction d'ajouter à la fin de la 3me Section, les mots suivants : 'Et les dettes dues par un failli, aux personnes du présent Acte, ne seront pas non plus comprises dans la décharge accordée à tel failli, mais ce dernier votera, nonobstant cette décharge, responsable du paiement de toute partie de pareille dette qui n'aura pas été payee à ces personnes non réputées commerçants, à même les dividendes déclarés sur les biens du failli en vertu du présent Acte.'"

Mr. MILLS said there was a difficulty in connection with the adoption of the motion, viz., debts represented by negotiable securities. If the motion was carried, it would be necessary to make provision that negotiable notes, bills receivable and bills of exchange might not be transferred from traders to non-traders with a view of making the party liable who otherwise would not be liable.

Mr. PALMER thought that the Government should seriously consider whether it was desirable to proceed with the Bill in view of the serious difficulties which would arise in placing it in operation.

The amendment was negatived on the following division :—

Yeas :

Messieurs

Baby, Bain, Barthe, Béchard, Bernier, Bourassa, Bowell, Brown, Caron, Cauchon, Cheval, Cimon, Colby, Cook, Costigan, Coupal, Cunningham, Cuthbert, Dugas, Farrow, Ferguson, Fiset, Galbraith, Gaudet, Gibson, Gill, Gillies, Kirkpatrick, Lanthier, Little, McDonald(*CapeBreton*), MacDonnell (*Inverness*), McDougall (*Renfrew*), McCallum, McQuade, Mills, Mitchell, Monteith, Montplaisir, Mousseau, Norris, Orton, Ouimet, Pinsonneault, Pope, Pouliot, Pozer, Robitaille, Rochester, Roscoe, Rouleau, Rymal, Scatcherd, Shibley,

Gordon, Harwood, Hurteau, Kirk, Thompson (*Haldimand*), Wallace (*Norfolk*), White, Wright (*Pontiac*),—62

Nays:

Messieurs

Appleby, Bertram, Biggar, Blackburn, Blain, Blake, Borden, Borron, Bowman, Brooks, Buell, Burk, Burpee (*St. John*), Burbee (*Sunbury*), Cartwright, Casgrain, Charlton, Church, Cockburn, Cushing, Davies, DeCosmos, Delorme, De St. Georges, Dymond, Ferris, Fleming, Flesher, Flynn, Fournier, Fraser, Geoffrion, Goudge, Hagar, Hall, Holton, Horton, Huntington, Higginbotham, Irving, Jetté, Jodoin, Kerr, Killam, Laflamme, Laird, Lajoie, Landerkin, Langlois, Laurier, Macdonald (*Cornwall*), Macdonald (*Glengarry*), Macdonald (*Kingston*), Macdougall (*Elgin*), MacKay (*Cape Breton*), McKay (*Colchester*), Mackenzie (*Lambton*), Maclennan, McGregor, McLeod, Metcalfe, Moffat, Moss, Oliver, Palmer, Paterson, Pelletier, Perry, Pettes, Pickard, Platt, Power, Ray, Richard, Robillard, Ross (*Durham*), Ross (*Prince Edward*), Ryan, Scriver, Sinclair, Skinner, Smith (*Peel*), Smith (*Selkirk*), Smith (*Westmoreland*), Snider, Stirton, St. Jean, Taschereau, Thibaudeau, Thompson (*Welland*), Tremblay, Trow, Tupper, Vail, Wallace (*Albert*), Wilkes, Wood, Yeo, Young—99

Hon. Mr. MITCHELL moved, seconded by Mr. BOWELL—"That the Bill be not now read a third time, but that it be referred back to a Committee of the Whole House for the purpose of amending the first clause by adding the words 'lumbermen, millmen, contractors and fishermen.'"

Lost on division.

Mr. COLBY moved, seconded by Mr. DEVLIN,—"That the Bill be not now read a third time, but that it be referred back to a Committee of the Whole House for the purpose of striking out the 58th clause, which makes it a condition that if a dividend is less than 33 per cent., discharge may be refused." In moving this amendment he would say briefly that in any insolvency measure, where the system of voluntary assignments was preserved, he could quite understand the propriety of inserting a clause which would require the debtor to pay a given percentage, say 33 or 50 per cent., as it followed quite logically from such a system. If the debtor could elect his own time, and of his own option throw his estate into insolvency and compel the creditor to accept the consequences, he ought to do so at such a stage that it would produce something for the creditor. He should not be permitted to allow his estate to become entirely wasted and then offer it to the creditor. But the hon. the Minister of Justice had eliminated from the Bill the principle of voluntary assignments, and adopted that of compulsory assignments; and in so doing he thought the hon. gentleman had done wisely and well, and that he would be supported by the sentiment of the country. He believed a large proportion of the evils and complaints, hitherto, had grown out of the system of voluntary assignments, which this Bill proposed to abolish. If the system of voluntary assignments were swept away, then the clause requiring 33 per cent. dividend should also be struck out, for it could only be applicable to the voluntary system. He could see no propriety in such a clause when the voluntary system was done away with. The law threw the whole onus of assignments upon the creditor, and it was purely in the interests of the creditor, and permitted the creditor to throw the debtor into insolvency. We had given the creditor all the legal power he desired, and if in the exercise of his own discretion, and purely in reference to his own interest, he permitted the debtor to run on from bad to worse, until his estate was wasted, he should be held responsible legally for the consequences of his negligence and faults. If he permitted such a state of affairs he was the only person who could be blamed. He thought it was desirable to facilitate composition arrangements between debtor and creditor. If the hon. gentleman would look back to the clause preceding the 58th clause, they would see the ordeal through

which the poor debtor must pass before he would be even entitled to a discharge at all, and he thought the stringency of the Act should be mitigated by the abolition of this clause requiring a dividend of 33 per cent. It was a desirable provision that a minority of the creditors should not be able to control a majority of the creditors. He would call their attention to the provisions for a composition and discharge. There must be a majority in the number of creditors at the first meeting called, and when the proposition for composition was submitted, and after the majority had consented to a certain mode of composition, the Assignee called a special meeting for the specific purpose of considering that proposition, and at that meeting there must be the concurrence, not merely of the majority in number, but of those holding three-fourths of the aggregate amount of indebtedness. The opinion of the creditors was forwarded to the Judge, accompanied by the affidavit of the insolvent, to the effect that no one of his creditors had been induced by any preferential arrangement, or promise of preferential payment to give his consent; and after that is done it must be made to appear to the Judge that the consent of the majority of the creditors had been fairly obtained, that the trader had not, to the knowledge of any one interested, been guilty of fraudulent concealment of his property, or evasion, or false swearing, that he had kept his account books properly, and after all that the Judge had the discretionary right to confirm the discharge or postpone the discharge. Although a man might have been honest, yet if he had been negligent in business, or had recklessly endorsed the security of others, or had continued his business unduly after he believed himself an insolvent, the Judge might withhold his discharge. After the poor debtor had passed through all that ordeal, and had acquitted himself of any dishonest intent or reckless impropriety he should get his discharge. To withhold the discharge under these circumstances would be an act of prohibition; and that opinion was not confined to himself, but was entertained by representatives of the creditor class by the members of Boards of Trade and others, who represented the creditor class purely in that matter—and they considered this clause requiring a dividend of 33 per cent. should be dispensed with. He believed it should not be in the power of a single obstinate creditor, where there was a general concurrence of the majority of those interested, still further to embarrass and delay the proceedings under the Act. The effect of this clause would be to prevent composition, which was the most desirable arrangement, since it saved costs. He therefore moved "That the Bill be referred back to Committee of the Whole for the purpose of striking out the 58th Clause which makes it a condition that if the dividend be less than 33 per cent. the discharge may be refused."

Hon. Mr. BLAKE said he felt bound, for the reasons given by the hon. member for Stanstead, to support the amendment. He believed that the debtor should be encouraged and threatened to go into insolvency while there was anything to be divided amongst the creditors. He believed that if power were given to a debtor to go into insolvency voluntarily, it would be proper to impose as a condition of discharge that the dividend to be realized from the estate should not be less than a certain amount; but to tell the insolvent that he should not be allowed to go into insolvency of his own accord—that the time for him to do so must be fixed by the creditors, and that in case of their forcing him into insolvency, and the estate should not bring 33 cents on the dollar, he should not have his discharge, was too hard, and besides was inconsistent with the principle of the Bill.

Mr. WOOD said it seemed remarkable that nearly all the amendments that had been offered to this Bill had been proposed by gentlemen who were opposed to any Insolvency Act at all. The hon. gentleman who moved this amendment was one of that number. If this clause were retained in the Bill, and held over the head of a debtor, the inducement to save as much as he could of his estate would not be held out. If he knew that he could not get his discharge, unless the estate would realize 33 per cent., he would call his creditors before him at the earliest possible moment and lay the condition of his estate before them. If they were satisfied, he would at once be put into insolvency. The amendment was not fair to the commercial community. If this clause were struck out a debtor could go on spending his money as he pleased without giving any account of it, because he

would know that under any circumstances he could get his discharge.

Hon. Mr. TUPPER said this amendment was not accurate in point of fact. The 58th clause would not bear the interpretation put upon it by the mover of the amendment. Under that clause no Judge had the power to refuse a discharge to any debtor whose assets amounted to ten cents in the dollar, provided he could account in a satisfactory manner for the deficiency. That was a good provision. No debtor should get his discharge who could not account for his deficiency, whether he paid 33 cents in the dollar or 60 cents.

Mr. PALMER quite agreed with the remarks which had fallen from the hon. member for Cumberland. This clause would do no injustice to the honest trader who could give a satisfactory account of the condition of his estate. No man in this country should go on with his business when his assets were reduced to anything like 33 per cent. It was true a debtor could not make a voluntary assignment, but he could call his creditors together, explain to them the position in which he stood, and ask them to put him into insolvency. If they should refuse to do so, the fact would weigh with the Judge. The clause would have a good effect in preventing fraud, and he would therefore oppose the amendment.

Mr. PATERSON said there was a strong feeling in this House in favor of doing away altogether with the Insolvency Law. Now, why was this? The fact was that under the operations of the old law, in which there was no clause of this kind, fraud was perpetrated to such an extent that it was considered the country would be better without an Insolvency Act at all. The object of this clause was to prevent the frauds which had been so prevalent in the past, and at the same time, it afforded relief to the honest trader. Under the old law men had passed through the Insolvency Court, paying ten or fifteen cents in the dollar, and when whitewashed occupied a better position than the men they had defrauded. Any one whose estate could not pay 33 cents in the dollar, who had not been overtaken by some unexpected calamity, had no t to be whitewashed or to receive credit again. The clause was a good one and should not be struck out.

Mr. YOUNG said that under the old law he was in favor of some check being placed on the release of debtors who had became insolvents, as some abuses had undoubtedly occurred in that way. He felt, however, the position was entirely altered by the change in the principle of the Bill, and the fact that a man could no longer make a voluntarily assignment, but could be placed in insolvency by his creditors whenever they pleased. Under the 58th Clause a number of the creditors of a debtor might refuse to allow him to go into insolvency while he was able to pay 33 cents on the dollar, and if he afterwards became an insolvent, the fact that he was unable to pay that dividend would operate against him obtaining a discharge. He was strongly of opinion that if under the old law Parliament went a little too far in the interest of the debtor, there was now danger of going too far in the interests of the creditors. It behooved hon. members to guard against doing an act of injustice to honest and industrious traders who might be unfortunate in business from some unlucky speculation. When the hon. member for Hamilton, who represented the wholesale trade, had obtained a Bill framed in such a way as to give merchants immense power over their debtors, it was too much to ask that the insolvent, after being stripped of all his property should be refused a discharge. Under the Bill the creditors would have entire control of the insolvent's estate, and they might so mismanage it as to prevent the debtor from being able to pay the dividend specified, and obtain a discharge. The hon. member for Cumberland had argued that under that 50th clause no Judge would refuse to grant a discharge to an insolvent, provided he was able to explain why he could not pay 33 cents on the dollar. That was, however, just where the difficulty arose. In many cases perfectly honest men would find it difficult to explain the reasons why they were unable to pay that amount. Moreover, explanations that would be satisfactory to a Judge of one county, might not prove so to another; and hence there would be different decisions in different localities. It would be a much wiser policy for Parliament itself to decide the conditions under which the insolvent should obtain his dis-

charge, rather than leave the power in the hands of any single person. Again, it should not be forgotten that there were a dozen different points in the Bill, which, if not satisfactorily explained, would debar the insolvent from obtaining a discharge. The Bill was an exceedingly stringent one, and was framed almost entirely in the interests of the creditors. He trusted hon. members would judge the question on its merits, and not be led to do an injustice, because under the system of voluntary assignments, there were some abuses; but recognizing that the Bill provided for compulsory assignments, he hoped they would vote for the amendment of the hon. member for Stanstead, which would protect the honest and industrious debtor.

Mr. SCATCHERD said the section proposed to be struck out did not compel the payment of a dividend of 33 per cent. before a discharge was granted, but it provided that if an insolvent failed to pay that amount he was compelled to account for the deficiency to the satisfaction of a Judge before he obtained a discharge. The 56th section provides that an insolvent should not obtain a discharge if he was guilty of fraud, and that point would have to be decided by the Judge. He held that the 58th section was the best section in the Bill, and if any amendment would be made, it should be in the direction of compelling an insolvent to pay a hundred cents on the dollar, and he would therefore vote against the amendment.

Mr. LANGLOIS said that creditors who were traders were interested in debtors making a composition, for insolvent traders shortly afterwards resumed business, and the creditors were recouped in the shape of additional trade. Non-traders did not occupy the same position, and the clause was framed in their interest.

Mr. THOMPSON (Cariboo) supported the amendment, and protested against such large discretionary power being placed in the hands of Judges, who, like all men, were fallible, and entertained prejudices against certain parties. If the Dominion should have an Insolvent Law, there should be no dividend specified to be paid by the insolvent, and when a bankrupt was compelled to come forward and transfer all his property to his creditors, he was entitled to his discharge.

Mr. RICHARD thought the question had not been properly put by the hon. member for Stanstead in his amendment. The only question which the Judge had to decide in considering an application for a discharge, was whether the insolvent had been honest or dishonest. If the insolvent had been honest, no matter if his assets only realized five cents on the dollar, he would be entitled to his discharge; but if he were proved dishonest and paid ninety cents, he would not be entitled to it. The clause was not a limiting, but a protective one. If an insolvent paid thirty-three cents dividend the presumption was that he had been honest in business, and the burden of proof would rest on the creditors to show that he had not so acted and was not entitled to a discharge. If, however, the debtor paid a smaller dividend, the burden of proof fell upon him to show that he had acted honestly, and if that was proved he would obtain his discharge. The clause would therefore operate as a definite guarantee to creditors for the honesty of debtors.

Mr. DEVLIN, as seconder of the amendment, desired to state that the commercial opinion of Montreal was against the clause as it appeared in the Bill, and it had been opposed by the President and Vice-President of the Board of Trade of that city. He was surprised at the anxiety manifested by some hon. members to have the clause passed, because clauses 56 and 57 appeared to provide sufficient safeguards for creditors. The 58th clause was opposed to the true interests of the people, for it placed the insolvent at the mercy of the Judge. In 1871 the total liabilities of insolvents in England amounted to $17,000,000 and the assets to $3,000,000, showing an average dividend of three shillings and sixpence on the pound sterling, and it was unwise, therefore, to provide in the Act for insolvents in this country to pay so large a dividend as 33 cents on the dollar.

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

AFTER RECESS,

Mr. DEVLIN said he did not desire to occupy the attention of the House longer with a debate upon the clause he had seconded. He believed the question was fully understood by hon. members, and that the feeling was that there should be no further debate upon the question.

Mr. McCALLUM said he was opposed to an insolvency law altogether, as he considered it was simply a premium upon wrong doing; but at the same time if we were to have an Insolvency Law at all, we should retain this clause in the Bill. What was the object of our Insolvency Law? It was to give relief to the honest debtor; and in his opinion it was no trouble to an honest debtor to get his release under this clause. The first duty of a business man who found himself in difficulties would be to count up the full amount of his liabilities, give notice to his creditors and call upon them, and if they assisted him after that, and he should continue in business, the Judge, when the debtor applied for his discharge, would take into consideration the notice given to the creditors at that time. If the creditors insisted on their debtor continuing in business at a loss until he could not pay five cents in the dollar, the Judge would also take that into consideration. The object of this law was in favor of the honest man, to give relief to the honest trader, and not to help a man to rob his neighbor. He believed the honest people of this country did not want an Insolvency Law, and if any one would second it he would move the "six months' hoist."

Mr. DAVIES did not think it would be a hardship to compel debtors to pay 33 cents on the dollar. Every debtor should acknowledge his obligation to pay 100 cents on the dollar if he could; and if an insolvent had some trouble in getting through he should not complain. In his Province they had some few years ago passed an Insolvency Act; but there was no limit to the amount a debtor had to pay. The consequence was that in one year afterwards they were very glad to amend the Act with a provision requiring 25c on the dollar, and since that the Act had worked very well indeed. He could not see that there was any harm at all in having the creditor pay a reasonable amount. In many cases merchants who by any means got into difficulties, became reckless and speculated wildly with the view of making up their losses; but with this clause they would pause before they did so, because if they could not pay the proper amount they could not get a certificate from the Judge. What was the object of the present Bill. It was found that the Act in the Statute Book was not stringent enough, but this Bill was to make it more stringent for it had been found that dishonest traders could go into court and come out whitewashed, and in a few days carry on business just as well as ever, and acquire property. On looking over the Act he must say he liked it as a whole; and as he considered this one of the best clauses in the Bill, he should be very sorry to see it struck out.

The amendment was declared lost on division.

Mr. BECHARD moved that the Bill be referred back to Committee of the Whole, with instructions to amend it in such a way as to provide that all debts due by an insolvent to such persons as farmers, graziers or common laborers, who are excepted from the operations of this Act, be considered preferential. He held that those who were not allowed to take advantage of this Act should not be subjected to its injurious consequences.

The House divided on the amendment, which was rejected by the following vote:—

YEAS:

Messieurs

Baby,	Lanthier,
Barthe,	Little,
Béchard,	Macdonald (*Cornwall*),
Bernier,	MacDonnell (*Inverness*),
Bourassa,	Macdougall (*Elgin*),
Bowell,	McDougall (*Renfrew*),
Bunster,	McCallum,
Cheval,	McCraney
Cimon,	McIsaac,
Cook,	McQuade,
Costigan,	Monteith,
Coupal,	Montplaisir,
Cuthbert,	Norris,
De St. Georges,	Oliver,
Dugas,	Orton,
Ferguson,	Ouimet
Fiset,	Pinsonneault
Galbraith,	Rochester,
Gaudet,	Rleau,
Gibson,	Rymal,
Gill,	Scatcherd,
Gillies,	Shibley,
Gordon,	Thompson (*Cariboo*),
Harwood,	Thompson (*Haldimand*),
Hurteau,	Wallace (*Norfolk*),
Jones (*Leeds*),	White,
Kirk,	Wright (*Ottawa*),
Lajoie,	Wright (*Pontiac*)—56.

NAYS:

Messieurs

Appleby,	Laird,
Archibald,	Landerkin,
Aylmer,	Langlois,
Bertram,	Laurier,

Blackburn,	Macdonald (*Kingston*),
Blain,	MacKay (*Cape Breton*),
Blake,	McKay (*Cochester*),
Borron,	Mackenzie (*Lambton*),
Bowman,	Maclennan,
Brooks,	McIntyre,
Burpee (*St. John*),	Metcalfe,
Burpee (*Sunbury*),	Mills,
Cartwright,	Moffat,
Casey,	Mousseau,
Cauchon,	Palmer,
Church,	Paterson,
Cockburn,	Pelletier,
Colby,	Perry,
Cunningham,	Pettes,
Currier,	Pickard,
Davies,	Platt,
Delorme.	Pouliot,
De Veber,	Power,
Ferris,	Ray,
Fleming,	Richard,
Flesher,	Robillard,
Flynn,	Ross (*Durham*),
Fournier,	Ross (*Prince Edward*),
Fraser,	Scriver,
Fréchette,	Skinner,
Gillmor,	Smith (*Peel*),
Goudge,	Snider,
Hagar,	St. Jean,
Hall,	Taschereau,
Holton,	Tremblay,
Horton,	Trow,
Higginbotham,	Tupper,
Irving,	Wallace (*Albert*),
Jette,	Wilkes,
Jodoin,	Yeo,
Kerr,	Young—83.
Killam,	

Mr. COLBY moved that the Bill be referred back to a Committee of the Whole, with instructions to amend the 58th section by striking out "33" and inserting "10" in place thereof. He hoped the House would recollect that this Bill was an Act which applied to traders strictly. It was a question as between traders of the creditor class, who, as a rule, were the wholesale merchants, and the debtor class of traders, who, as a rule, were retailers. Formerly under the law on our Statute Books it was the privilege of the debtor trader when he found himself in failing circumstances to make a voluntary assignment of his estate and compel the creditors to accept it. Under that law it would have been logical, fit, and proper where a debtor used that privilege to pay the trader a certain percentage. The law was changed, however, and that privilege to the retail trader was taken away. It was now a stringent law for the use and benefit of the wholesale trader for winding up the retail trader's estate. He did not think it should be made too stringent on the retail traders of the country. The rosponsibily of action being now in the hands of the wholesale trader, if he neglected to take advantage of an early opportunity—if he chose by his own negligence to let the estate drift into a position where it could not pay more than a small percentage, it was at his own risk. The estate under this Bill would be taken out of the hands of the debtor, and wound up by the creditors without consulting the individual who of all others could best assist in making the most of it. He did not think that any percentage should be fixed, but since the principle had been affirmed he should reduce it to a lower amount than thirty-three per cent. He regretted to see that the cost of winding up an estate under this Bill was not to be lessened, but was to be fully as great as under the existing law. He knew instances in which estates of large magnitude had been entirely wasted by the process of winding them up. In one case an estate valued at $13,000 was wound up. The father of the debtor offered ninety cents on the dollar—this was refused, and the estate was thrown into insolvency and though valued at $13,000, did not pay the cost of winding it up. Instead of ninety cents the creditors got nothing at all. He thought the proposition he now submitted to the House would perhaps meet the views of the hon. gentleman better than his former amendment on which he had hoped a vote would be taken.

Mr. COLIN MACDOUGALL said he would have been better pleased if the clause had been struck out altogether, but that could not be done now, and he would support the next best thing, which was to reduce the percentage as much as possible, The voluntary clause being done away with and a compulsory one substituted this proposition of the hon. member for Stanstead was one which ought to meet with the approval of this House. Down to thirty-three per cent., it was incumbent upon the creditor to show cause why the debtor should not get his discharge, but below that amount the burden of proof as to the cause of the deficiency was thrown on the debtor; and if it should happen after all the expense of winding up the estate that it did not pay thirty-three cents on the dollar he could not get his discharge. He would therefore support the amendment.

Mr. DEVLIN desired to record his protest against this act of legislation. He believed that the wholesale merchants, who were very ably represented in this House, were seeking legislation which, ultimately might become ruinous to small traders throughout the Dominion. He asked hon. members who had some regard and respect for honest industry and for traders who through misfortune might go into insolvency, to read the clause of the Bill preceding the 58th clause, and consider whether the merchants were not, by those provisions, amply protected. He affirmed that they would be sufficiently protected, and he was amazed that enlightened men should be asking further legislation with the view of crushing the last spark of liberty from those insolvents. He recorded his protest against the Bill as a most unjust act of legislation.

Mr. PATERSON said the experience of retail dealers in regard to the present Insolvency Law was that its provisions were so lax that they were constantly defrauded by their debtors. It was the duty of every man to pay his debts in full, and by reducing a trader's liabilities by two-thirds, Parliament performed an act of grace.

Hon. Mr. HOLTON said that if the hon. member for Stanstead had taken a vote upon his first amendment, he would have voted in its favor, because it affirmed a sound principle, namely, that the question of discharge should be a purely judicial question, not at all dependent on the creditor or the amount of dividend paid, as Parliament was now doing away with voluntary insolvency. But he could not go with the hon. member in the amendment, because he recognized, admitted and adopted the principle of the clause as it stood and proposed to reduce the amount from 33 cents on the dollar, as provided in the clause, to 10 cents. The choice, therefore, presented was simply between the limitation of 33 cents as provided by the Bill, and was reported from the select committee, by whom it was carefully considered, and 10 cents. He could see no good reason whatever, for the proposition to fix the dividend at 10 cents, indeed, the proposition appeared absurd. The House having affirmed the principle embodied in the Bill, as reported by the committee, he would stand by the dividend fixed by the committee in preference to the dividend proposed by the amendment of the hon. member for Stanstead.

Hon. Mr. BLAKE said that the principle of the 58th clause of the Bill was mischievous, but the House was committed to it, and he would vote for the amendment, because he believed it would render the operation of the Bill less mischievous.

Hon. Mr. MITCHELL agreed with the hon. member for South Bruce, and was also opposed to the principle of the 58th clause. He would, therefore, vote for the amendment of the member for Stanstead, because it would be less mischevous than the clause as it stood in the Bill.

Mr. COLBY wished it to be distinctly understood that it was not the intention of himself or the hon. member for Montreal Centre that the proposed amendment would not have been lost if a division had been taken.

The amendment was then put and negatived on the following division :—

Yeas :

Messieurs

Archibald,	Goudge,
Baby,	Hagar,
Blake,	Harwood,
Bowell,	Jones, (*Leeds*),
Brooks,	Kirk,
Brouse,	Laflamme,
Bunster,	Lanthier,
Caron,	MacDonnell (*Inverness*),
Charlton,	Macdougall (*Elgin*),
Cockburn,	McDougall (*Renfrew*),
Colby,	Mills,
Costigan,	Mitchell,
Currier,	Norris,
Cuthbert,	Oliver,
DeCosmos,	Rochester,
Devlin,	Rymal,
Dugas,	Schultz,
Ferguson,	Thompson (*Cariboo*),
Gibson,	Thompson (*Haldimand*),
Gill,	Wallace (*Norfolk*),
Gillies,	Wright (*Ottawa*)
Gordon,	Young—44.

Nays :

Messieurs

Appleby,	Laurier,
Aylmer,	Little,
Bain,	Macdonald (*Cornwall*),
Barthe,	Macdonald (*Kingston*),
Béchard,	MacKay (*Cape Breton*),
Bernier,	McKay (*Colchester*),
Bertram,	Mackenzie (*Lambton*),
Blackburn,	Maclennan,
Blain,	McCallum,
Borron,	McCraney,

Bourassa,	McGregor,
Bowman,	McIntyre,
Buell,	McIsaac,
Burpee, *(St. John)*,	McQuade,
Burpee, *(Sunbury)*,	Metcalfe,
Cartwright,	Moffat,
Casey,	Monteith,
Casgrain,	Montplaisir,
Cauchon,	Moss,
Cheval,	Mousseau,
Church,	Orton,
Cimon,	Ouimet,
Cook,	Palmer,
Coupal,	Paterson,
Cunningham,	Pelletier,
Davies,	Perry,
Delorme,	Pettes,
De St. Georges,	Pickard,
De Veber,	Pinsonneault,
Domville,	Platt,
Dymond,	Pouliot,
Ferris,	Power,
Fiset,	Pozer,
Fleming,	Ray,
Flesher,	Richard,
Flynn,	Robillard,
Fournier,	Ross *Durham*),
Fraser,	Ross (*Prince Edward*),
Fréchette,	Ryan,
Galbraith,	Scatcherd,
Gaudet,	Scriver,
Geoffrion,	Shibley,
Gillmor,	Sinclair,
Hall,	Skinner,
Holton,	Smith (*Peel*),
Horton,	Snider,
Huntington,	Stirton,
Hurteau,	St. Jean,
Higginbotham,	Taschereau,
Irving,	Thibaudeau,
Jodoin,	Tremblay,
Kerr,	Trow,
Killam,	Tupper,
Kirkpatrick,	Vail,
Laird,	Wallace (*Albert*),
Lajoie,	White,
Landerkin,	Wilkes,
Langlois,	Wood—116.

Mr. PALMER said he did not think it worth while taking up the time of the House in proposing amendments to the Bill; but he thought as the House was now pretty full it would be the proper time to test the question as to whether the country wanted the Bill at all. He would move, seconded by Mr. RYMAL, that the Bill be not now read a third time, but that the further consideration thereof be postponed to this day three months. He desired to draw the attention of the House to the fact that the old statute had been in force since 1869, and this law had not been in force at all—but was it not the experience of every member of the House that the law had been detrimental? Had not the working of the law been a fraud upon the country? Did it not enable persons to take the benefit of it and go through the Bankruptcy Court and not pay their creditors who had no right to do so? In the United States they found it the best policy not to have a Bankruptcy Law; and he thought that one law should be a temporary, and not a permanent one. Another objection was, while the old law had a limit to it, this one had no limit, and once on the Statute Book no matter how badly it might work, an Act for its repeal would have to go through Parliament. In this country a man's labor was always capital; and the consequence was a habit of trusting people without capital; and it very often happened that the dealings of such a man were out of all proportion to the value of his labor, and when a great crisis came on he was almost certain to be unable to meet his liabilities. He had heard the hon. member for West Montreal say it was a terrible thing to be so hard upon the poor debtor, and he talked of the tyrany of the law as though it were a dreadful piece of tyranny that a man should pay a debt he had incurred. His (Mr. PALMER'S) idea was that a man who had undertaken a debt should discharge it if there were any means in his power. The object of our legislation should be in the direction of making persons honestly discharge the liabilities they took upon themselves, and not in a direction to encourage an assumption of liabilities with the view of getting rid of them under the law. He thought there was at this time no particular reason why this law should go into operation. There was also this objection to a permanent Bankruptcy Law. Persons who were dishonestly inclined would shape their affairs and their credit so as to take advantage of the law and squirm through; but if they were allowed to go on without a Bankruptcy Law they would not know when it would be adopted, and consequently they could not but shape their affairs so as to take undue advantage of the law. There was another thing in this law that was unfair. Farmers were excluded from its benefit though they ran great risk—in fact every thing they did was risky. They put in a crop; but it was not at all certain that they would take out a crop; and even when they sold that crop to the merchant it was not always certain that they would get their pay—

particularly after a Bankruptcy Law was passed. He thought the farming community would feel an injustice was done them if they were debarred from the benefits of this Act. Another and stronger objection to the Act was that it put upon the over-taxed people of Canada a lot of officials—accountants they were called—at $4,000 each, and he did not know how much more would be spent in working the machinery of the law. He had heard of a case where an estate of $13,000 was eaten up by the cost of winding it up.

Mr. RYMAL said he had always opposed Bankruptcy Laws. He considered it his duty to oppose this measure at every stage. He was convinced that Insolvency Laws were an unmitigated nuisance, a school of immorality and rascality, and he believed it was well that people should understand that when they contracted debt they should be strictly held to the payment thereof. Under this system of insolvency the shrewd, designing, calculating man can bring his affairs into such a shape as to defraud his creditors and—as he (Mr. RYMAL) had seen such men on many occasions do—appear on the streets in a much better position than before they got whitewashed. It was a very common remark that when you saw a man dressed in extra fine clothes, driving in an extra fine carriage, whose family was clothed in scarlet and fine linen and fared sumptuously every day—that that man had passed through the Bankruptcy Court, and that all this luxury followed the operation. He believed the country would be better without a Bankruptcy Law, and he had great pleasure in seconding the amendment of the hon. member for St. John. He trusted that every man who had any regard for pure and simple justice, and was not willing to give his adherence to an Act of confiscation, whereby one man's property was sacrificed for the benefit of another, would stop before supporting this Bill. His sentiments on this matter were well expressed by General MARION shortly after the American Revolution, when the question whether the property of loyalists should be confiscated was under consideration. At a convivial meeting where a number of politicians were at the table, this question had been pretty well discussed, and General MARION, who had a great love for justice, tempered with mercy, tossed off the wine and uttered this sentiment—which was his (Mr. RYMAL'S): Damnation take all confiscation Acts!

Mr. THOMSON (Welland) said he was generally a pretty faithful follower of the Government in this House, and he was disposed to follow them on this occasion, because he was willing to give this Act to the mercantile community just as the Almighty gave the Jews a King when they asked for one—to punish them. There never would have been a necessity for such a law if the mercantile community did not really rule the country. We find young men going into a mercantile business under this law, and before they have been in commerce more than five years, run against the stone wall of credit and get knocked down, and laboring for the remainder of their existence to work up a competence. The whole system was wrong. When the Americans threw that chest of tea into the harbor of Boston they meant to typify that they threw over the whole political system of England. They ought to have thrown over the mercantile system of England and kept the political system instead. But they threw away the angel and kept the devil. He (Mr. THOMSON) was disposed to give the merchants this Insolvency Act, and allow them to ruin every man they could, and then the cure would come. That cure was to be had in the first place by securing the liberty of the people in the aggregate by giving every man a voice in the legislation of the country—that was to say universal suffrage. The next step was to raise the whole revenue of this country by direct taxation. The next to create free trade with all the world, no matter what policy other nations may adopt towards us. The next thing was a national currency. Under that altered condition of affairs we could manufacture cheaper than any other people on the face of the earth. This was his political creed from the time he came into this House, and he was going to live, if his constitution continued as good as it was then, to see those views adopted in this country. The time would come when this beggarly mercantile system would have to be swept away by the able-bodied yeomanry of this country. The country had yet to rule the town. He would support this

Insolvency Law although he considered it an abomination. He would support any abomination—and the more abominations the better—that would drive this people to an appreciation of the evils of the present system, and result in its being abolished.

Mr. COLBY said he had for many years held the opinion that the Insolvency Act had worked more harm than good in this country. Although he had felt it his duty on more than one occasion to introduce Bills tending to the repeal of the Insolvency Act, he did not feel at liberty at this stage of the debate—having agreed to the principle of the Bill at the second reading, and having succeeded in committee in making it as perfect as possible, or rather as little imperfect as may be—having come to this stage he did not feel himself justified in supporting the amendment. On former occasions when he had introduced the Bill for the abrogation of this law he was, or believed he was, supported by a very strong sentiment on the part of the mercantile interests of this community. In 1872 when the Bill was before the House asking to repeal this law, petitions came in in favor of it largely signed by the merchants of Montreal and other parts of the Dominion. To such an extent were these petitions signed that it was difficult to say on which side of the question the feeling of the mercantile classes preponderated. The various Boards of Trade had since then pronounced themselves in favor of an Insolvency Act. On the other hand, there had been no remonstrance on the part of any portion of the mercantile community. There was no petition before the House asking that this Act be not passed. He was driven to the conclusion that whatever might be the private convictions and sentiments of hon. gentlemen with regard to the operation of this Act, it was the desire of the mercantile portion of the community that it should be passed, and it affected no other class. If both the wholesale and retail merchants desired it, he did not feel himself justified at this stage of the Bill in attempting to defeat the passage of this law. He was induced to give this law a trial for one year for this reason. His own individual belief was that the chief evils of which the country complained in the past had resulted from the principle of voluntary assignment in the existing law.

Mr. Thompson.

When the Government came down and said: "We will give you a Bill which does away with that objectionable feature of voluntary assignment," he was willing to give that law a trial. He was not very sanguine as to the successful operation of this law. It was not sufficiently dissimilar to the existing law to lead him to anticipate the best results, but inasmuch as the most objectionable feature of the old law had been removed, he would not oppose it. If the merchants of the country disapproved of it, they should approach this House and express the sentiments they entertained.

Mr. BUNSTER had yet failed to hear any advantage that this law would confer upon the country. It proposed to give employment to a large number of officials. He believed it was the duty of Parliament to keep down taxation as much as possible and to devote our revenues to the development of our resources. He would therefore vote for the amendment.

The House then divided on the amendment which was rejected on the following vote:—

YEAS:

Messieurs

Baby,	McQuade,
Barthe,	Mitchell,
Bernier,	Monteith,
Bourassa,	Montplaisir,
Brown	Mousseau,
Bunster,	Oliver,
Cheval,	Ortou,
Cimon,	Palmer,
Coupal,	Pinsonneault,
Currier,	Ross (*Prince Edward*),
Cuthbert,	Rymal,
Dugas,	Scatcherd,
Ferguson,	Sinclair,
Gaudet,	Stephenson,
Gibson,	Thompson (*Cariboo*),
Gill,	Thompson (*Hadimand*),
Harwood,	Wallace (*Albert*),
Hurteau,	White,
Little,	Wright (*Ottawa*),
McKay (*Colchester*),	Wright (*Pontiac*)—41.
McCallum,	

NAYS:

Messieurs

Appleby,	Kirk,
Archibald,	Kirkpatrick,
Aylmer,	Laflamme,
Bain,	Laird,
Béchard,	Lajoie,
Betram,	Langlois,
Blackburn,	Lanthier,
Blain,	Laurier,
Blake,	Macdonald (*Cornwall*),
Borden,	Macdonald (*Kingston*),

Borron,	McDonald (*Cape Breton*)
Bowman,	MacDonnell (*Inverness*),
Buell,	Macdougall (*Elgin*),
Burpee (*St. John*),	McDougall (*Renfrew*),
Burpee (*Sanbury*),	MacKay (*Cape Breton*),
Campbell,	Mackenzie (*Lambton*),
Cartwright,	Maclennan,
Casey,	McCraney,
Casgrain,	McGregor,
Cauchon,	McIntyre,
Church,	McIsaac,
Cockburn,	Metcalfe,
Colby,	Mills,
Cook,	Moffat,
Costigan,	Moss,
Cunningham,	Norris,
Davis,	Ouimet,
DeCosmos,	Paterson,
Delorme,	Pelletier,
De St. Georges,	Perry,
De Veber,	Pettes,
Dymond,	Pickard,
Farrow,	Platt,
Ferris,	Pouliot,
Fiset,	Power,
Fleming	Pozer,
Flesher,	Ray,
Forbes	Richard,
Fournier,	Robillard,
Fraser,	Ross (*Durham*),
Fréchette,	Ryan,
Galbraith,	Scriver,
Geoffrion,	Skinner,
Gillies,	Smith (*Selkirk*),
Gillmor,	Snider,
Gordon,	Stirton,
Goudge,	St. Jean,
Hagar,	Taschereau,
Hall,	Thibaudeau,
Higginbotham,	Thomson (*Welland*),
Holton,	Tremblay,
Horton,	Trow,
Huntington,	Tupper,
Irving,	Vail,
Jodoin,	Wallace (*Norfolk*),
Jones (*Leeds*),	Wood,
Kerr,	Young,—115.
Killam,	

Mr. METCALFE said he believed that a great many, if not a majority, of the failures in business were caused not by losses in trade, but by high living and extravagant expenses. A man might have a splendid equipage, a magnificent house, and his annual expenditure might exceed that of a realm. He fails, and when his books are examined it is found that the profits of his business would not pay for his expenses. Yet, according to the 57th clause of this Bill his certificate of discharge would only be withheld for a short time. Now, he believed that the certificate in such a case ought to be refused, and that a term of imprisonment would have a salutary effect in deterring men from plunging into a career of extravagance at the expense of their creditors. He therefore moved that the 57th clause be amended by adding the following words :—" That when it is proved that the insolvent has lived more extravagantly than his station and condition in life justifies, he shall be liable to imprisonment in the penitentiary for a term not exceeding five years."

The amendment was declared lost on a division.

Mr. BARTHE moved that the Bill be referred back to Committee of the Whole for the purpose of adding the following resolutions: First—That it is desirable that the power of appointing Assignees should not be vested in the creditors, but that the Assignees appointed by Government should alone be charged and entrusted with the winding up of estates, that they should not have any charges on the estates either by way of fees or expenses, but receive a salary from the Government out of the consolidated funds of the Dominion, and that out of the assets of each estate a percentage of five per cent. be levied and paid into the said consolidated funds of the Dominion, apart from necessary disbursements. Second—That all the moneys levied by Assignees shall be deposited by them in a chartered bank of the Dominion to the credit of the Government, and be not paid out only on a Government cheque according to the principle adopted in the Province of Quebec for the payment of moneys levied by Sheriffs." He said the object of having Official Assignees appointed by the Government was to avoid the expenses attending the appointment of inspectors. By the law as it stood, the expenses for inspectors, Official Assignees and Interim Assignees amounted to about fifteen or seventeen per cent. upon the assets of every estate. By the Government assuming the payment of the Assignees, there would be only five per cent. The reason why the old law gave so much dissatisfaction was that it was so expensive. Some Assignees were not conversant with the law, and had to incur the expense of consulting lawyers. Under this system competent men, versed in the law, would be appointed, and the Government having control of them, no two or three creditors could get an estate into their hands to the detriment of a minority. There were many other arguments which he would urge, if time permitted, in support of his amendment.

The amendment was ruled out of order.

Mr. THOMPSON (Cariboo) said the people of British Columbia had a Bankruptcy Law that had worked satisfactorily; and as there had been no expression, either on the part of the people or the Legislature, of a desire for a change, he thought that Province should be left to enjoy its own law. The law before the House had never been tried, and if it passed and proved satisfactory, an Act of a dozen lines would extend it to British Columbia. His country was sparsely settled, unfortunately, but they were encouraging immigration; and a harsh law would have the effect of driving unfortunate men across to the States to find a home. He objected altogether to the Act as a step backward to the dark ages. It would be a harshness for the other Provinces to endeavor to crush British Columbians under their heels and force upon that Province a law that was not needed. He would move, seconded by Mr. DECOSMOS, that the Bill be not now read a third time, but that it be referred back to the Committee of the Whole, with instructions to strike out words in different clauses, so as to exempt British Columbia from the operations of the Act.

The amendment was lost on division.

Mr. MOUSSEAU moved, seconded by Mr. CIMON, that the Bill be not now read a third time, but that it be referred back to the Committee of the Whole, with instructions to add the words "building societies" after the words "telegraph companies" in the first clause. He said he proposed this amendment in order that there might be no doubt as to the position of building societies. Some of them not only lent money, but were building houses and tenements.

Hon. Mr. TUPPER inquired if the amendment was not substantially embodied in the law as it stood.

Hon. Mr. FOURNIER said the law embraced building societies that were trading corporations. Some of the building societies now had more of the character of banking institutions.

The amendment was declared lost on division.

On motion of Mr. GOUDGE, seconded by Mr. HORTON, the Bill was referred back to Committee of the Whole (Mr. FORBES in the chair), with instructions to strike out the word "master" where it occurred in the first clause in connection with the word quarryman.

The amendment was reported and read, and the Bill was read a third time and passed.

THE SUPREME COURT.

Hon. Mr. FOURNIER moved that the House resolve itself into Committee of the Whole to consider the Bill to establish a Supreme Court and a Court of Exchequer for the Dominion.

Mr. BABY said he would move a series of resolutions based upon the resolutions passed at Quebec prior to the passage of the British North America Act, and which were embodied in that legislation. Amongst the rights reserved to the Legislature of Quebec was that of dealing with property, civil rights and civil procedure in the courts. The constitution of the proposed Supreme Court would take away those rights. Either Parliament had the right to create that court or not. If they had the right, on what was it based? It could only be based on the British North America Act; but it stated that all the rights appertaining to property, civil right and civil procedure were expressly placed under the jurisdiction of the Provincial Legislatures. The Superior Court was to be constituted of six Judges, two from Quebec, two from Ontario and the rest from the Maritime Provinces. The Bill gave an appelate right to any suitor whose claim amounted to $500. The consequence would be that a disappointed suitor, whose case had been adjudicated upon by the different courts of the Province, would appeal to the Supreme Court and the decision of the different tribunals would be reviewed by that court and possibly set aside. The decisions of Judges fully acquainted with the French law would be set aside by six Judges, four of whom would be unlearned in the laws of Quebec. The laws of all the other Provinces of the Dominion, except Quebec, might be assimilated, but the laws of Lower Canada were specially reserved to it. If the Supreme Court was established it would practically remove the trial of cases from courts of final jurisdiction in the several Provinces. Not only would the rights of Quebec be jeopardized by the fact that four of the six Supreme Court judges would be ignorant of French laws, but the rights of the other Provinces

would be endangered by the Judges being unacquainted with the laws, customs and habits of the parties pleading before the court. Moreover, the Dominion Parliament did not possess the power of establishing a Supreme Court before the Provincial Legislatures had decided that it was required and provided therefor Before the Bill was submitted to Parliament the Local Legislature should have called for the establishment of the court by Parliament, and by their laws have declared that hereafter certain cases should be taken before the Supreme Court, and fixed the degree of appellate jurisdiction. The resolutions would speak for themselves, ves, and he, therefore, concluded by asking hon. members to pause before enacting the legislation proposed which threatened the rights secured to the Province of Quebec. He moved the following amendment :—

That in the resolutions adopted at the Conference held at Quebec on the 10th October, 1864, and which served as the basis of "The British North America Act, 1867," it is set forth :—

2. In the Federation of the British North American Provinces, the system of Government best adapted under existing circumstances to protect the diversified interest of the several Provinces, and secure efficiency, harmony and permanency in the working of the Union, would be a General Government, charged with matters of common interest to the whole country ; and Local Governments for each of the Canadas and for the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, charged with the control of local matters in their respective sections.

6. There shall be a General Legislature or Parliament for the Federated Provinces.

29. The General Parliament shall have power to make laws for the peace, welfare and good government of the Federated Provinces, and especially laws respecting the following subjects.

34. The establishment of a General Court of Appeal for the Federated Provinces.

37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.

33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and rendering uniform the procedure of all or any of the Courts in these Provinces ; but any Statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.

31. The General Parliament may also, from time to time, establish additional Courts, and the General Government may appoint Judges and officers thereof, when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.

32. All Courts, Judges and officers of the several Provinces shall aid, assist and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges and officers of the General Government.

34. Until the Consolidation of the Laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island, the Judges of these Provinces, appointed by the General Government, shall be elected from their respective Bars.

38. The Judges of the Courts of Lower Canada shall be selected from the Bar of Lower Canada.

43. The Local Legislatures shall have power to make laws respecting the following subjects :—

17. The Administration of Justice, including the Constitution, maintenance and organization of the Courts, both of Civil and Criminal Jurisdiction, and including also the Procedure in Civil matters.

That the several resolutions above cited are reproduced in substance in the said Act of Confederation.

That by the said Bill No. 31 it is specially proposed to provide for an appeal to the Supreme Court from all final judgments, as well as from all preliminary or interlocutory judgments, in the cases and in the manner therein mentioned, of Courts of final resort (whether Courts of Appeal or of original jurisdiction) in each Province of Canada; and for the institution of proceedings in Error before the said Supreme Court; and that, in consequence the said Bill would have the effect :—

1. Of virtually depriving each Province, in a very great proportion, of the administration of justice, the control of which is, by the Constitution, reserved exclusively to the local Legislatures and Governments, at least in so far as relates to laws respecting Property and civil rights and civil Procedure in each Province.

2. Of removing that administration of justice to Judges indiscriminately taken and selected from the whole of Canada, whereas by the Federal Compact the Judges of each Province (except the Province of Quebec) are to be selected from the respective bars of those Provinces, so long as their laws remain unconsolidated ; and as to the Province of Quebec, in particular, its Judges are always to be selected from among the Members of the Bar of that same Province.

3. Of submitting the laws relating to property, to civil right and to civil procedure in the Province of Quebec, the causes and the fate of citizens of that Province to judges, who, for the most part are strangers to their language, their manners, their usages, and their customs, to the origin of their codes and to the numerous commentators thereon, and to the practice of their Courts.

4. Of submitting and attributing to the said Supreme Court the management and control of matters which are not common to the whole country.

That the appeal now allowed in the Province

of Quebec in certain cases to Her Majesty's Privy Council, was so authorized originally by a law of that Province (34 Geo. 3, Cap. 6.)

That (saving the inherent right of the Sovereign, or the Crown, to evoke every clause) by natural right, those amenable to the jurisdiction only, and by consequence each Province, should decide through how many degrees and classes of jurisdiction the administration of justice should pass in order to satisfy them.

That Her Majesty's Privy Council, composed as it is of men acquainted, in general, with the English and French languages, as also with the laws and institutions of England and France, affords much greater security than the proposed Court for the safety of the civil and constitutional rights of the several nationalities which this country comprises.

That as respects the exercise and enforcing of all rights and powers of the General Parliament and Government of Canada, for matters common to the whole country, the courts and Judges of the several Provinces are at present considered the Courts and Judges of Canada.

That in consequence the proposed establishment of the said Supreme Court and Court of Exchequer is not now desirable, and would not justify the considerable expense which they would entail upon the country, and the costs, frequently ruinous, which suitors amenable to their jurisdiction would have to incur.

Mr. MOUSSEAU apologised for speaking on this question at so late an hour in the evening, and at so late a period of the session; but the subject was one of so much importance to the Province of Quebec that it was impossible for him to allow the occasion to pass without addressing a few observations to the House. It was always an important matter to create a new tribunal, but it was a still more so to establish a court under circumstances so peculiar as the present. The first question which every member—he might say every citizen of this country—would naturally put to himself, would be—" whether is the law necessary or otherwise? Is it asked for by British Columbia, a Province which has but recently entered the Confederation?" He did not think so. Was it asked for by Ontario, which prided itself upon the constitution of its courts, and the general administration of justice within its jurisdiction? Certainly not. Was it asked for by Quebec? On the contrary it was, because Quebec always strongly opposed the creation of a court of this nature that it had not been consummated before. It was not from the Maritime Provinces the request came. The Press moreover had never urged that this court was necessary. Public opinion did not ask for it, nor did it give expression to any desire in that direction through the usual channels. To him it appeared that public men and statesmen before entering upon a great enterprise, before spending many thousands of dollars, in short, before passing any important law, ought always first to study whether such a law was wanted by the country. Public men and statesmen usually watch very closely and very attentively what was called the tide of public opinion before imposing upon the country such an expenditure as this, for it was after all a very doubtful boon. It seemed to him that the members of the Government should have inquired when bringing this measure down whether it was demanded by the wants of the country. If such an inquiry had been made he felt certain that the proposition to pass this Bill would never have been laid before the House. He was specially speaking for the Province of Quebec in this matter but he dared to say that the same opinion prevailed in any other Province. He was aware as a matter of fact, that there was the very gravest objection to such a law on all hands; and the right hon. member for Kingston who introduced a similar measure one session when he was at the head of a large and powerful majority, felt compelled to withdraw the Bill because he could not carry it through. He (Mr. MOUSSEAU) was well informed when he made this statement, and it was within his knowledge that the strongest opposition came from the Province of Quebec, supplemented, to be sure, by all the other Provinces. He would ask first whether that law was necessary as a court of appeal having a right to take cognizance of our whole Civil Law. In the Province of Quebec he was of opinion that it would be perfectly useless, and he dared to say that in this opinion he would be supported by the unanimous voice of the people of his own Province. They had already in that Province a most perfect and complete judical organization. They had excellent courts of original jurisdiction, equally good Appellate Courts of the second degree, an Appellate Court of the third degree, which was the Court of Queen's Bench, sitting in appeal; and, lastly, they had the judicial committee of the Privy Council. All these courts, he was bound to say, gave perfect satisfaction. Of course wherever there were lawyers and litigants who lost their cases, there would be more or less dissatisfaction with the courts. There was an old and

trite French adage, that forty-four hours must always be granted to litigants to course their Judges, but after the expiration of that period, everything ran as smoothly as before. Of course he could understand that it would be desirable to establish a Supreme Court if it were proposed to abolish the right of appeal to the Privy Council; but he was sure that hon. gentlemen on the Treasury Benches were most unwilling to do that, for the special organ of the Minister of Justice in Montreal, *Le National*, had the following article on that very subject:—

"On siége, aujourd'hui, notre dernier tribunal d'appel, et comment est-il composé? Il siége à Londres. En ne mettant que deux plaideurs dans une cause, nous voyons aller à Londres 25 ou 30 plaideurs par année et y envoyer une douzaine d'avocats du Canada. Le plaideur qui gagne sa cause est en général à demi ruiné et celui qui perd la sienne est sur le pavé. Pourquoi nos plaideurs vont-ils au Conseil Privé? Les juges qui y siégent sont-ils dans de meilleures conditions que les nôtres ou ceux qui siégeraient dans la Cour Suprême pour apprécier nos lois? Assurément non. L'éducation des juges du Conseil Privé est sans aucun doute de l'ordre le plus élevé. Il n'existe pas au monde un tribunal dans des conditions analogues. L'Angleterre a conquis, plus qu'aucune autre puissance, des colonies et territoires appartenant à des pouvoirs étrangers. Elle a su non-seulement conquérir mais conserver. Elle a conservé en rendant sa domination tolérable. Elle s'est fait tolérer en laisant subsister, dans les pays conquis, les lois qui y régnaient. Elle a laissé chaque population ainsi conquise jouir de ses coutumes et même de ces préjugés, tant que l'abus n'arrivait pas à compromettre la suprématie du Souverain ou les droits inhérents à la qualité de sujet anglais. Cette tolérance de l'Angleterre est et sera son éternel honneur dans l'histoire de l'humanité."

It would be quite impossible to find in the Judges of the intended Supreme Court the same ability and capacity, and especially the same impartiality that was stated in that article. He considered the Supreme Court was entirely unnecessary; and so also was the proposed Court of Exchequer. It seemed the framers of the Confederation Act were wise enough to foresee the dangers our constitution might meet, and to provide a remedy in advance. At the same time they were wise enough to imitate the American system as regards the establishment of a Supreme Court, having inferior jurisdiction, and also to make such provisions as would render it for a long period of time entirely unnecessary. They were under the necessity in the States of establishing a Supreme Court and inferior tribunals for the better administration of the Federal Laws, because the Judges of State Courts were not responsible to the national authorities, as they were not paid by them or appointed by them. The Federal Government had no control whatever over them. He would read a section from STORY on the constitution, but it discussed a question that was very much like ours:—"In regard to the power of constituting inferior courts of the Union, it is evidently calculated to obviate the necessity of having recourse to the Supreme Court in every case of Federal cognizance. It enables the National Government to institute or authorize in each State or district of the United States a tribunal competent to the determination of all matters of national jurisdiction within its limits. One of two courses only could be open for adoption—either to create inferior courts under the national authority, to reach all cases fit for the national jurisdiction, which either constitutionally or conveniently could not be of original cognizance in the Supreme Court; or to confide jurisdiction of the same cases to the State Courts, with a right of appeal to the Supreme Court. To the latter course solid objections were thought to apply, which rendered it ineligible and unsatisfactory. In the first place the Judges of the State Courts would be wholly irresponsible to the National Government for their conduct in the administration of national justice; so that the National Government would or might be wholly dependent upon the good will or sound discretion of the States in regard to the efficiency, promptitude and ability with which the judicial authority of the nation was administered. In the next place, the prevalency of a local or sectional spirit might be found to disqualify the State tribunals for a suitable discharge of national judicial functions, and the very modes of appointment of some of the State Judges might render them improper channels of the judicial authority of the Union. State Judges, holding their offices during pleasure, or from year to year, or for other short periods, would, or at least might, be too little independent to be relied upon for an inflexible execution of the national laws." Our constitution had wisely given the Federal Government control of all the Judges of the Provincial Courts, and because there was that marked difference,

and for other reasons he had seconded the proposition of his hon. friend. He thought, as the Government had control over all our Provincial Judges, there was no necessity for the establishment of a Supreme Court. This court would cost from $80,000 to $100,000; and he thought it would be much better to husband our resources, and employ them in carrying on and completing our great public improvements, such as the enlargement of the Welland and St. Lawrence Canals, the building of the Pacific Railway, and perhaps in time the construction of the Ottawa Canal. So far as Quebec was concerned the Federal Parliament had no right, for two reasons, to abolish the right of appeal. One reason was, that it was established by statute, and formed part of their administration of justice, and could not be touched by this Parliament or Government. It had been established by statute in Upper Canada as well, and now formed part of their Provincial Laws and the administration of justice. The right of petition to the QUEEN was one that could not be touched by any Parliament as long as we were governed by the English Sovereigns as it was the immediate attribute and prerogative of the Sovereign. In his humble opinion all the parts of the Bill that gave the right of appeal to the Supreme Court from the jurisdiction of the Civil Laws of Quebec were entirely unconstitutional. He knew the opinions of hon. members of the House who occupied a very high standing did not agree altogether with his; but, still, after studying over carefully all the authorities on the subject, he felt it was his duty to give his construction of the laws under which the Supreme Court was to be established. The 101st clause of the British North America Act provided that —"The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance, and organization of a general Court of Appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada." The hon. the Minister of Justice and the hon. member for Kingston had given as their opinion that that clause should be construed in such a way as to give this Parliament the right to establish a Supreme Court with appellant jurisdiction as regarded the Civil Laws of Quebec. He submitted, respectfully, that that construction and interpretation of the law was ruinous when there was any difference of opinion or any doubt as to the interpretation of the Act, they generally took the views of those who had taken part in framing that Act. In the Quebec resolutions which were embodied in the British North America Act, two great principles were not only laid down, but recognized, affirmed and reaffirmed in many clauses. The one principle was the Federal one, and the second was the Provincial autonomy of all Provinces entering into the compact. This was so evident that in the debates in the House of Lords, when that constitution came before their Lordships, the opinion was expressed that it would be better to have legislative union, but it was pointed out that this would be impracticable especially as regarded the Province of Quebec which had had its autonomy guaranteed by the 42nd Article of the Treaty of Capitulation of 1760.

"Les Français et Canadiens, 'quotes "the noble Lord,' continueront d'être "gouvernés suivant la coutume de Paris "et les lois et usages établis pour ce pays."

Whenever the Confederated Provinces were mentioned, it was always in contradistinction to the special powers given to the Provincial Legislature. He contended that it was impossible to construe the law otherwise than he did at the present moment. Otherwise it would have been the complete destruction of all the clauses regarding Provincial powers which were specially given to the Local Legislatures. He understood that by giving to the Supreme Court appellate jurisdiction with regard to matters coming from the courts of Quebec in matters relating to the civil, Provincial and municipal laws of that Province, was conferring power which this Parliament had no right to give. It was a dangerous encroachment on the Provincial rights of Quebec.

Mr. JONES (Leeds) said he was not connected with the legal profession and would not, therefore, discuss the legal points of the measure. He would say, however, that he did not think this Bill was now needed by the country. After what had fallen in the debate on this Bill a few nights since, he was in hopes that this Bill would have been dropped. For his part he thought that in all the Provinces, and particularly in Ontario, the Judiciary was in excellent condition. They had all the legal tribunals they required, and here

was an expense about to be put on the country of $100,000 at least. He merely rose here in the name of the county he represented in Ontario to enter his protest against the passage of this Bill, because he did not think it was needed by the country at present.

Mr. PALMER said that as before the House went into Committee upon the Bill he desired to make some observations as to the extent of the power of the Dominion Parliament to create the court contemplated, principally in answer to the arguments addressed to the House by the hon. member for West Toronto and the hon. member for Bothwell, and also to point out one or two objectionable features in the Bill in addition to those he had pointed out before the second reading. Although it was so late, he asked the House to indulge him while he did so. First, then, he agreed with what he understood was the view of the Minister of Justice as to the extent of the power of this Parliament to create the court, and dissented from the views expressed by the hon. members for Bothwell and Toronto West. His view was that the 101st section of the British North America Act authorized the Parliament of Canada to create a court having appellate jurisdiction over all the courts in each of the Provinces of Canada, with full power to hear and determine any and all causes and suits that may have been adjudged in the local courts; and also to regulate the mode of suit appeal, and further to create a court having original jurisdiction to administer the laws of Canada, that is the laws in force in the several Provinces of Canada on the subjects assigned exclusively to the Parliament of Canada by the 91st Section of the British North America Act which he considered the true meaning of the words "the Laws of Canada" as used in the 101st Section, and this Legislature had no power to create any courts having any further original jurisdiction, all such powers having been given exclusively to the Local Legislatures, by the 14th sub-Section of the 92nd Section of the British North America Act. Of course, this Parliament in addition would, under other provisions of Union, Act have the power either to create a court to adjudicate upon all matters relating to the election and return of members of the House of Commons which is outside the matter in the controversy as raised by the hon. members alluded to. He (Mr. PALMER) in basing his argument on the point stated, desired to say at the outset that the mode of argument adopted by the hon. member for Bothwell, drawn from the eternal fitness of things or what he called the federal principle, might be very well when applied to a question of policy, but was entirely out of place in discussing a mere question of law and the question the proper construction of an Act of Parliament that this House could not alter, and he thought members were too apt to lose sight of the fact that they were not to decide what powers they should have, but simply what powers the British North America Act had given them in this regard. He (Mr. PALMER) contended that this must be decided simply by construing the Act itself, and this must be done by the ordinary rules of law applicable to the subject: Then what were those rules? The first and great leading rule was to ascertain all the facts that surrounded the passing of the Act, and look at the whole Act and from this ascertain what were the law and status of the parties affected by the Act before it was passed; then the objects of the Act, and the evils it was intended to remedy; and thus construe it so as to remedy such evils, as far as the words would permit. Now, the facts that appear to affect this part of the Act are shortly these. That it was made as appears by the preamble to carry out an agreement made by the separate Provinces of Canada, who thus (*quo ad* this question) possessed independent jurisdictions, having different laws, courts, and jurisprudence. This being so, if the 101st Section is ambiguous. The best key to it would be the provisions on this same subject in the agreement which the Act was made to carry out. Those provisions, hon. members would find, contained in the 14th Sub-Section of the 29th and 31st Sections, and the 17th Sub-Section of the 43rd Section of the Quebec Section so-called, which was the agreement referred to in the said Act. Before referring particularly to the words of these references, hon. members would do well to remember that an evil existed in Canada, particularly in the smaller Provinces, that there was no Court of Appeal in this provision except to the Judicial Committee of the Privy Council, which

was too far distant and expensive, and this was intended to remedy that evil. Then referring to the words themselves of the 14th Sub-Section, "The establishment of a General Court of Appeal for the Federated Provinces"—and the 32nd Section—"Establish additional courts, &c., in order to the due execution of the laws of Parliament." Those two sections which are so distinct in the agreement, are combined in the 101st section of the Act, and the "Laws of Parliament" in the agreement are changed in the Act to "the Laws of Canada." But in each it is contended they mean the same thing—that is, the laws of Canada, or the laws on the subjects that are within the powers of the Parliament of Canada, as distinguished from these laws, that are not within the powers of that Parliament, but are only within the powers of the Local Legislatures, and may be quite different in each Province. We must notice the great difference in the words when applied to the Appeal Courts and the other courts provided for both in the agreement and the Act. The Appeal Court is to be a General Appeal Court for Canada in that Act. In the agreement it is a General Court of Appeal for the Federated Provinces clearly meaning the same thing, while the court of original jurisdiction is confined in the Act to the better administration of the Laws of Canada, and in the agreement to the due execution of the Law of Parliament, meaning in both the same. Now if it was intended that the jurisdiction of both those courts should be the same, that is, should be confined to the better administration of the laws on the subjects given to the general Parliament, how could the different words be accounted for? If such was the object it appeared to be clear that such powers would have been created by the same words and confined to the better administration of the Law of Canada, and consequently a wider meaning must be given, and because, while by the agreements the General Court of Appeal was to be established at all events, the Courts of Original Jurisdiction were only to be additional courts and established from time to time as required. Now this clearly contemplated the establishment of a Court of Appeal before any Court Original Jurisdiction, and, in that state of things, the only court from which they could have appealed must be the local Provincial Courts, as those were all the courts which were in existence, and there certainly could be found no words of limitation of the powers of such appeal either in the Act or the agreement. This Appeal Court was for Canada—that is for all Canada—but not confined as were the courts of original jurisdiction, to the administration of the laws of Canada. This being the power of this Parliament, in addition to the policy, or expediency of creating any original jurisdiction in this court, without any necessity for it, he (Mr. PALMER) wished and pointed out to the Minister of Justice that it was impossible for him to create all the original jurisdiction contained in the Bill as it stood. The hon. gentleman would see that his (Mr. PALMER'S) view of the power of this Parliament in this regard was the widest and largest possible under the words of the Act, but in the matter of original jurisdiction it was limited strictly to the administration of the laws, or subjects in the power of the General Parliament. Now, it could not be denied that the original jurisdiction attempted to be given by the 55th and 58th sections, was to decide upon Acts of the Local Parliaments, and the 58th section professed to take away from the Provincial courts the power to decide upon such local Acts. Such legislation he (Mr. PALMER) considered not only bad policy, as such questions had better come by way of appeal, but it was an unconstitutional and illegal attempt to wrest from the local authorites what was vested in them by the Constitution. He (Mr. PALMER) also objected to the 80th and 81st sections of the Act. These sections were intended to create a separate bar, who alone could practice in this court. This he considered a great injustice to the barristers and attorneys of each Province, who should have a right to practice in this court by virtue of their office in the courts below. It would be a curious state of things if a barrister of New Brunswick could be excluded from arguing the case of his client in this court, while at the same time he would have a right to conduct it in the final court of appeal—the Privy Council. It would be a useless hardship, and would be felt seriously by the small and distant Provinces. He hoped it would be struck out, and all attornies and barristers of the courts appealed from, would be allowed to practice in this court without any other

ceremony or form whatever. He did not desire to go over the various objections to the Bill, which he had pointed out at the second reading, but he must again urge upon the Minister if he would strike out all the sections of the Bill from the 16th to the 35th, and in lieu thereof substitute one section simply, giving an appeal on all the cases allowed, by a notice shortly stating the ground of appeal, which when perfected by the security, etc., would have the effect of taking the whole proceedings into the Court of Appeal, no matter what the form or nature of the pleadings below were, and then direct the Appeal Court to give and enforce the judgment that the court below ought to have given—it would much better answer all the purposes required. and render the court more efficient and useful.

On motion of Hon. Mr. MACKENZIE the debate was adjourned, and the House adjourned at 12.20 A.M., till Saturday.

HOUSE OF COMMONS,

Saturday, March 27th, 1875.

The SPEAKER took the chair at three o'clock.

BILL INTRODUCED.

Hon. Mr. FOURNIER introduced a Bill to amend the provisions of "An Act to amend the Criminal Law relating to violence, threats and molestations."

The Bill was read a first time.

CAPE RACE LIGHT HOUSE.

Hon. Mr. SMITH (Westmoreland) moved the House into Committee of the Whole to consider the following resolution: that it is expedient that the Act of the Legislature of Prince Edward Island, intituled; "An Act to provide for the collection in this Island of the Cape Race Light House Toll," be repealed.

The resolution was reported and a Bill founded on it was introduced and read a first time.

SUPPLEMENTARY ESTIMATES.

Mr. SPEAKER read messages from HIS EXCELLENCY transmitting the Supplementary Estimates for the year ending June 30th 1875, and also for the year ending June 30th, 1876.

Hon. Mr. CARTWRIGHT moved that they be referred to Committee of Supply. —Carried.

ACTS OF PROVINCIAL LEGISLATURES.

Right Hon. Sir JOHN A. MACDONALD by permission of the House, moved an Address to HIS EXCELLENCY the GOVERNOR GENERAL for copies of all Orders in Council not already laid before this House relating to the allowance or disallowance of Acts of the several Provincial Legislatures since Confederation, and of all correspondence between the Government of Canada and the several Provincial Governments respecting such Acts.—Carried.

THE COASTING TRADE.

Hon. Mr. SMITH moved the House into Committee of the Whole to consider the following resolution:—That it is expedient to amend the Act 33 Vict., c. 14, respecting the Coasting Trade of Canada, by providing that the master of any steam vessel, not being a British ship, found towing any ship, vessel, or raft from one place to another in Canada, or in Canadian waters, shall forfeit the sum of four hundred dollars, and that such steam vessel may be detained by any officer of Customs until the forfeiture is paid; but that the said provision shall not extend to ships of any foreign country to the Coasting Trade of which the Governor in Council may declare that British ships are admitted, or to any foreign ship admitted to the Coasting Trade of Canada under any treaty made by HER MAJESTY with the country to which such foreign ship belongs.

In Committee, Mr. DE ST. GEORGES in the chair,

Hon. Mr. SMITH explained that it had come to the knowledge of the Government that in many parts of the Dominion, particularly on the coast of British Columbia, and also in the inland waters of other Provinces, American vessels were engaged in this trade, while no such privilege was granted to Canadian vessels in United States waters.

Sir JOHN MACDONALD suggested that an exception should be made in case of wrecked vessels.

The resolution was amended in accordance with this suggestion, reported and concurred in.

Hon. Mr. SMITH introduced a Bill to amend the Act 33 Vict., Cap. 14, respecting the Coasting Trade of Canada, which was read a first time.

MR. PLIMSOLL'S BILL.

The Orders of the Day being called,

Mr. GOUDGE said: Before proceeding to the Orders of the Day I desire to draw the attention of the House and the Government to a recent article in the *London Shipping and Mercantile Gazette* on the subject of a Bill now before the Imperial Parliament known as Mr. PLIMSOLL'S Bill, which is an amendment to the present Merchant's Shipping Act. With the permission of the House I will read the article :—

"The Merchant Shipping Acts Amendment (No, 2) Bill, known as Mr. PLIMSOLL'S Bill, has been printed. It is a short Bill, of fourteen clauses, and proposes to deal with the questions of Surveys, the Load-line, Deck Cargoes, Time Policies, and the quality of iron employed in the construction of ships. The Survey is to have reference to classification, and the Bill proposes that no Br. ship shall proceed on any voyage from a British port without a certificate of classification granted by LLOYD'S Registry of British and Foreign Shipping, or the Liverpool Registry, or some other Corporation or Association approved for the time being for this purpose by the Board of Trade. This certificate is to be made compulsory, except in cases of ships specially exempted by the Board of Trade by reason of their being constructed on some new and previously untried principle. As regards a fixed Load-line, it is proposed that on and after the 1st of January, 1876, on every British ship registered before that day shall be "permanently and conspicuously" marked the limit of the ships displacement. This Load-line is to be settled under the direction and the satisfaction of Commissioners to be appointed under the Bill, and for its purposes ; and in order to defray the expenses of ascertaining the displacements and Load-lines of British ships, these Commissioners are to be authorized to a levy charge not exceeding 2d. per ton on the gross registered tonnage of each ship. No Br. ship is to leave Port unless the Load-line mark is visible. Consular Officers in foreign Ports are to ascertain the draught of water of British ships leaving Port, and forward the same to the Board of Trade, and the Load-line marks are to be permanently continued under heavy penalties. The proposal relative to Deck Cargoes is that they shall be limited to acids and other chemicals which are unsafe to be carried below, and to cattle and other stock, and "other matters and things, and in such qualities, as the Board of Trade shall, by special license, or under general regulations to be issued by them from time to time, permit." There is then a provision that Time Policies shall be affected by unseaworthiness in the same manner as Voyage Policies ; and, lastly, that iron used in the construction of ships shall be subjected to certain tests, a provision which, if carried out, would affect the Ironmaster and Shipbuilder rather than the Shipowner."

Objection having been taken to the further reading of a newspaper article,

Hon. Mr. MACKENZIE asked what was the object of the hon. gentleman in bringing up this matter now.

Mr. GOUDGE said his object was to draw the attention of the Government to the subject so that representation might be made to the Imperial Government before it was too late, as the proposed amendment to the Merchant's Shipping Act would seriously interfere with our shipping both on the lakes and the ocean.

Hon. Mr. MACKENZIE said it was for the Government, not the House, to make the representation. The hon. gentleman could bring the matter before the Government.

Hon. Mr. SMITH said the subject to which the hon. gentleman referred was now engaging the attention of the Government with a view to a remonstrance.

The matter then dropped.

FOREIGN ENLISTMENT.

Hon. Mr. FOURNIER moved the third reading of the Bill to prevent enlistment in the service of any foreign State in certain cases not provided for by the Foreign Enlistment Act of 1870.

The Bill was read the third time and passed.

DOMINION LANDS IN MANITOBA.

On motion of Hon. Mr. LAIRD, the House went into committee, Mr GOUDGE

in the chair, on the Bill to amend the Act respecting the appropriation of certain Dominion lands in Manitoba.

The Bill was reported, read the third time and passed.

HARBOR MASTERS.

Hon. Mr. SMITH moved the second reading of the Bill to amend the Act 37 Vict., cap. 34, appointing Harbor Masters.

Mr. MACKAY, (Cape Breton) did not desire that duties should be imposed on Harbor Masters for which they would receive no compensation. The Bill proposed to compel Harbor Masters to remove the buoys in the different harbors, a task which would involve considerable labor and expense, and yet no arrangement was made for remunerating them for the service. Certain persons had now charge of the work of laying down the buoys in the spring and removing them in the fall, for which service they were paid. If, therefore, the duty was to be transferred to Harbor Masters they should be paid for their labor.

Hon. Mr. MITCHELL concurred in the remarks of the hon. member for Cape Breton. The harbor of Montreal extended a distance of 100 miles, and that of Quebec 200 miles, and if the Harbor Masters were to be compelled to place and remove the buoys the expenditure for performing that work would be in excess of the fees they received.

Hon. Mr. CAUCHON said that Quebec harbor extended from Bic to St. Barnabe,

Hon. Mr. SMITH said that the Harbor Commissioners of Montreal and Quebec were entrusted with the appointment of Harbor Masters for those ports.

Hon. Mr. CAUCHON said that the Bill would extend to the whole Dominion and would therefore affect Montreal and Quebec unless they were excepted from its operation. If the Harbor Masters of these to ports were to be compelled to place and remove the buoys, which in Quebec extended two hundred miles, how were their expenses to be paid ?

Hon. Mr. SMITH replied that the Bill would not apply to the ports referred to.

Hon. Mr. MITCHELL inquired whether the Bill would apply to the Harbour of Mirimichi ?

Hon. Mr. SMITH replied that it would.

Hon. Mr. MITCHELL said that the Marine and Fisheries Department had always performed the work of buoying Mirimichi harbor, which involved an expense of £60 or £70.

Hon. Mr. SMITH said it was important that certain officers should be charged with the special duty of looking after the buoys. If the work could not be performed by the Harbor Masters for the remuneration they at present received, their allowances might be supplemented.

Hon. Mr. TUPPER observed that the hon. gentleman had made out a case for having officers appointed for this purpose, but there was no justice in throwing these duties upon them without remuneration.

Mr. GILLMOR said he did not see any necessity for taking away from officers who now attended to buoys that duty and placing it in the hands of harbor masters.

Hon. Mr. MITCHELL remarked that it would be well to confine the Bill to the smaller ports, and appoint special officers for the larger ports.

Hon. Mr. SMITH said that under the re-adjustment of fees of vessels, it was impossible to know beforehand how much the harbor masters would receive, but if it was found that their remuneration was inadequate to the extra duties required of them, then the Government had power to supplement it.

Sir JOHN A. MACDONALD pointed out that in this Bill it was provided that harbor masters shall perform this duty without any remuneration, and therefore no matter what hardship the harbor masters suffered, their remuneration could not be increased without an Act of Parliament.

The Bill was then read a second time.

MANITOBA LANDS.

The Bill respecting conflicting claims to lands of occupants in Manitoba was read a second time forthwith.

In committee—Mr. GILLIES in the chair,

Hon. Mr. LAIRD said the object of the Bill was to decrease the number of commissioners and also the number of references to them, as provided in the Act of 1873. The operation of that Act was found to be very expensive, and it was believed that there was no necessity for so many commissioners, and that many cases now referred to the commissioners could be settled by the department. He proposed, therefore, in the present Bill to decrease

the number of commissioners by one, and to limit the cases to be referred to them to those which related to disputes between two parties who laid claim to the same section of land.

Hon. Mr. TUPPER called the attention of the Government to a matter which might not apply strictly to this Bill. The Government for the purpose of obtaining persons to serve in a military capacity in Manitoba offered, in addition to that payment, a grant of land after a certain term of service. These persons served that term, and subsequently the Government asked for additional volunteers on the same terms as before. Now it appeared in a number of cases parties re-enlisted, and that the Government had declined to carry out the arrangement on the second occasion, on the ground that these men had already received a grant of land. Now it appeared to him (Mr. TUPPER) that if such were the case, nothing could be more unjust. It was a great advantage to the Government to secure the services of parties who by their previous experience had become thoroughly acquainted with the duties, and would be much more efficient than new men. He did not see why men who re-enlisted should not be placed on as favourable a footing as raw recruits.

Hon. Mr. VAIL said this matter had not been brought to his notice before. He promised to look into it.

The Bill was reported, read the third time, and passed.

DOMINION LANDS ACT.

The Bill to extend to the Province of British Columbia the provisions of the "Dominion Lands Act" was read the second time, passed through Committee of the Whole, read the third time and passed.

PROVINCE OF MANITOBA.

Hon. Mr. LAIRD moved the second reading of the Bill to amend an Act to amend and continue the Act 32 and 33 Victoria, Chapter 3, and to establish and provide for the Government of the Province of Manitoba.

Mr. MASSON asked for some explanations with regard to this Bill. He had heard there were some complaints with respect to it.

Hon. Mr. LAIRD said the object of the Bill was this: It had been found in distributing the 1,400,000 acres of land appropriated to the half-breeds that the Act was rather indefinite. There were so many shades of half-breeds that it was difficult to say who were and who were not entitled to a portion of this land. This Bill gave a list of the degrees of relationship which would enable the Government more speedily to adjust claims of that nature. Then there was another doubtful clause. It was supposed that 190 acres of land were to be given to each claimant. It was thought that if the lands were divided there would be a quantity still left. It was not desirable that it should be divided into small lots of four or five acres, and the Government therefore proposed to give the half-breeds scrip for that portion of the lands left over, with a view of preventing any part of the lands being locked up after the distribution of the lands appropriated.

Mr. MASSON asked if there was not a clause in this Bill which provided that under certain circumstances the lands of minors would revert to the Crown. He understood that 1,400,000 acres of land were given *en bloc* to the half-breeds as a community; consequently, not an acre of it could come back to the Crown, or if it did, there must be some provision by which it could be got back from the half-breeds in some other way.

Hon. Mr. LAIRD said the section referred to provided that in case of the death of a child before 18 years, the land would revert to the Crown. It was in case there were no heir that this provision was made. He supposed, however, there would be very few cases of that kind.

Hon. Mr. BLAKE called attention to the possible difficulties that might exist in reference to the right of this Parliament to pass such an Act. This Bill was to amend the Act creating a constitution for Manitoba, and was thought by many in this Parliament and in this Dominion to be beyond the powers of this House. It would be in the memory of those who served in the first Parliament after confederation that an address to the Imperial authorities was passed, asking legislation on this subject. In conformity with that address an Act was passed which would be found in our Statutes of 1872, which provided that:—

"Except as provided by the third section of this Act, it shall not be competent for the Parliament of Canada to alter the provisions of

the last mentioned Act of the said Parliament, in so far as it relates to the Province of Manitoba, or of any other Act hereafter establishing new Provinces in the said Dominion, subject always to the right of the Legislature of the Province of Manitoba to alter from time to time the provisions of any law respecting the qualification of electors and members of the Legislative Assembly, and to make laws respecting elections in the said Province."

Now the third section only provided for this Parliament altering the limits or extending the territories of the Province of Manitoba, so that the expression did not apply to this Bill. It seemed to him that this was for the purposes of this Parliament a law—as it were of the Medes and Persians—unalterable.

Sir JOHN A. MACDONALD was understood to say that he concurred in the opinion of the member for South Bruce.

Hon. Mr. MACKENZIE said they would simply take this stage to-day, and look into the matter before Monday. The objection would only apply to the first section; there was no doubt as to their power to deal with the second section.

Sir JOHN A. MACDONALD said he fancied that could be done because the second section was quite consistent with the original Manitoba Act. With the understanding that the principle of the Bill was not admitted this stage might now be taken.

The Bill was then read a second time.

SUPREME COURT.

The order of the day was called for resuming the adjourned debate on the proposed motion of Mr. FOURNIER that Mr. SPEAKER leave the chair for House in Committee on Bill [No. 31] to establish a Supreme Court and a Court of Exchequer for the Dominion and the motion of Mr. BABY in amendment thereto.

Mr. LANGLOIS said the doubts which had been expressed as to the constitutionality of some parts of this measure had not changed his opinion, which continued to be that all the provisions of the Bill were within our powers. The clause on which the Bill was founded was of such a general character that it bore no exception but the exceptions that might be created by our own legislation. The words, "notwithstanding anything in this Act," certainly did not apply to any part of the Dominion jurisdiction. They must have been inserted for another purpose, and that purpose must be to do away with all exceptions which might be taken to the jurisdiction of appeal in matters belonging to the jurisdiction of the Local Parliaments. It was plain, therefore, that we had a right to constitute a Court of Appeal, notwithstanding anything in the Act. The name of the court was given, it was to be a General Court of Appeal, and not a court of limited jurisdiction. It was to be a Court of Appeal from all judgments that might be given in any of the Provinces. He had, therefore, no doubt as to the legality of the jurisdiction of this Court of Appeal in matters of a local nature, in matters of local legislation, even in matters of Civil Law. But notwithstanding any doubt which may be urged as to the constitutionality of this court, there would be no harm done in establishing it, because immediately after it is established the Government could at once submit to it the questions raised as to the constitutionality of some parts of the Act, and the court would be competent to decide them. If, in their opinion, the court was constitutionally created for all the purposes of the Act, then the question would be settled; if, on the contrary, their opinion was that it was unconstitutional in some respects, then, perhaps, by next session of Parliament, application could be made to the Imperial Parliament for additional powers. It had been urged that this court would be a disadvantage to the Province of Quebec, especially in cases to be decided by the Civil Law. He admitted there would be some disadvantage, that the Province of Quebec would not be in the same position before the Supreme Court as the other Provinces, because the majority of the Judges would not be familiar with the French Civil Law. However, the position of Quebec would be better with this court than it is now. At present we had the right of appeal to the Judicial Committee of the Privy Council, though there was in the Province of Quebec a growing feeling in favor of abolishing it. It was doubtful if at present a majority could be obtained in the Local Parliament —which was the proper tribunal to decide the point—in favor of abolishing the appeal to the Privy Council, but the opinion against that appeal was gaining ground every day in the Province of Quebec. After the establishment of this Supreme Court we, in the Province of Quebec, would have the option of the appeals — to the

Judicial Committee of the Privy Council or to the Supreme Court. He had no doubt that nine-tenths—perhaps ninety-nine one-hundredths—of the cases appealable to the Privy Council would be taken to the Supreme court. So that without any enactment abolishing appeal to the Privy Council the result would be nearly the same as if such an enactment is made. One reason for such a course being adopted would be that the expense would be much less. The cost of appeal to the Privy Council was never less than $4,000 whereas the cost of an appeal to the Supreme Court would probably not exceed $1,000. Aside from the advantage of this court in point of expense, there were other advantages which he could point out. The court would have at least two Judges versed in the French Civil Law. The hon. member for Montmagny had stated, as an objection to this court, that a case might arise in which three Judges, from other Provinces would reverse the judgment of the Quebec Court of Appeals even though unanimously rendered, and contrary to the opinion of the two Quebec Judges in the Supreme Court. Such a case if it really happened would certainly be one of extreme hardship, and if it was at all probable it should be provided against. But was it at all probable? He thought not. On the contrary he thought that in cases involving the French Civil Law the Judges from the other Provinces would be inclined to defer to the opinions of the two Quebec Judges. But if such cases as the one referred to were thought to be probable they might be provided against by an amendment to the effect that in such cases the judgment of the Quebec Court of Appeal should stand confirmed. But the danger adverted to was greater in regard to the appeal to the Privy Council, as was apparent from a recent case. He referred to the GUIBORD case. In that case the decision of eight Judges out of nine in the Province of Quebec was reversed by the Privy Council on questions involving not only Civil Law which was very difficult for the English Judges to understand but Ecclesiastical Law as well—that is, the old Ecclesiastical Law as it stood in France before 1663. Such a case might justify a repeal of the legislation which authorized an appeal to the Privy Council. There was another advantage to be derived from this court as compared with the Privy Council. When a case is sent to the Privy Council it is taken up by English barristers, who though no doubt men of ability cannot be expected for the small fee that is allowed them—seldom exceeding £150 sterling—to became as familiar with the case as the Canadian Counsel who has followed it through all the courts. On the other hand, before the Supreme Court the pleader has the advantage of a council familiar with the case from the beginning. In this connection he begged to express the hope that the Bill would be so amended as to do away with any formality with respect to pleading before the court, such as requiring barristers to be enrolled and to pay a fee, especially, as Canadian barristers are allowed to appear before the Privy Council without even a certificate of identity. He had no doubt that the advantage of being heard by Canadian Counsel before this Court would more than compensate far any of its disadvantages. He had another suggestion to make in the direction of an amendment to the Bill, and that was that the appeal to this court should be made final, so that, while the appellant would have the option of taking his case either to the Supreme Court or the Privy Council, yet if he chose to take it to the Supreme Court he should not afterwards have the right to take it again to the Privy Council. Of course, we could not take away the right of appeal to the foot of the Throne by prerogative, but such appeals had almost fallen into disuse. In the district of Quebec he knew of only one appeal of that kind within the last thirty years, while there had been about twenty appeals every year under the Statute. It had been said that this Parliament could not take away the right of appeal to the Judicial Committee of the Privy Council. To his mind that question admitted of no doubt, although the member for Hamilton had given notice of an amendment to abolish that right. In his judgment that was a question for the Local Parliaments. The statutory right of appeal to the Privy Council originated by the ordinance of 1777 passed by the Governor and Legislative Council of the then Province of Quebec which included both Upper and Lower Canada. He did not know how far that ordinance had been continued by Upper Canada, but in Lower Canada it was repeated by the Statute of 1793 and

Mr. Langlois

also by the Judicature Act of LAFONTAINE passed in 1849, and of course it was introduced into the Quebec Code of Procedure. The statutory right of appeal to the Privy Council existed only under that law, and it could only be repealed by the Local Legislature. There was no Imperial legislation on the subject, save the establishment of the Judicial Committee of the Privy Council, which was of very ancient date. He had made reference to a small book of practice before the Judicial Committee and he found from this book that appeals from Upper and Lower Canada were founded upon the statutes of these Provinces. There was no Imperial legislation, and therefore the repeal of those statutes would do away with the right of appeal. With respect to cases involving Commercial Law and Criminal Law the advantages of this court would manifestly be very great. He had no doubt that the people of Quebec were willing to have their Commercial Law assimilated entirely to that of the other Provinces. It would be a great advantage to have a uniform law and uniform decisions on matters of trade and commerce throughout the whole Dominion, At present we had different decisions on the same law in different Provinces—on the Insolvency Law for instance. The effect of the Supreme Court would be to establish a uniform jurisprudence in commercial and criminal matters all over the Dominion, which would be a great advantage. The member for Bagot had asked who had demanded for the establishment of this court. In his (Mr. LANGLOIS') opinion the Province of Quebec had need of such a court, and in proof of that he instanced the case of BELISLE vs. L'Union St. Joseph, which was appealed to the Privy Council at the expense of the Government of Quebec. As to the objection that the people had not petitioned for this court, he thought the people had a right to expect that members of Parliament knew what was needed in the interests of the country without being specially informed of it. The measure had been before the House for several years, and he believed there was a general desire that the court should be established. A considerable part of our legislation, Federal as well as Provincial, was unconstitutional, and some day or other the evil effects of such legislation would become apparent. It had been said that the Judges of this court would have very little to do for a few years, but he thought they might very well be employed in correcting unconstitutional legislation. A special commission might be appointed to revise legislation and collect all those statutes, Federal and Local, respecting which there were doubts as to their constitutionality. Upon the reception of the report of this commission by the Governor in Council, cases might be submitted to the Supreme Court covering the constitutional points in those statutes, and the result would be the expunging of unconstitutional legislation from our Statutes Book.

Mr. LAFLAMME said he concurred in most of the remarks of the hon. member for Montmorency, and he sympathized with the expressions of the hon. members for Joliette and Bagot; but he was surprised that their feelings of alarm at the danger to which Lower Canadian institutions were exposed by the passing of the Bill did not arise sooner. For eight years this measure had been threatened on Lower Canada, and not a voice was ever heard against its passage; when the provision for the establishment of a General Court of Appeal was placed in the Constitutional Act, there was not a murmur from hon. gentlemen opposite. There might be doubts, would he had no hesitation in saying these were doubts as to the proper interpretation of clause 101; but he believed the interpretation given by the hon. member for Montmorency was satisfactory. This was one of the many experiences which they had lately had, in this very session, of the hurried way in which the Confederation Act was passed, that it was not prepared to meet the absolute wants of the country, but made for the wants of a party. The question of the School Law had been brought before Parliament, and hon. gentlemen opposite would remember when the Confederation Act was brought before the public of Lower Canada a strong feeling was expressed against it. They desired to be allowed time in which to examine the proposal submitted by the framers of the constitution, in order to ascertain its bearing on the institutions of Lower Canada. But the people were debarred from doing so, and were accused of being disorderly and revolutionary; and the men who made

those charges were themselves attempting to carry out, and did carry out the greatest revolution the Lower Canadians ever experienced without even obtaining the voice of the people upon it. If hon. gentlemen opposite had been careful of the interests of their co-religionists at that time, they would have been saved from the consequences of that School Law, from which they sought now to obtain redress. But those gentlemen thought then more of the existence of their party, than of the interests of their household gods. He would also call attention to the indifference exhibited by those gentlemen to the interests of Lower Canada since then, when on the Federal Act of Insolvency being passed the people of that Province understood it would apply only to commercial insolvency. But it was passed without opposition, and to-day it was apparent that Parliament under the pretence of dealing with regular insolvency could attack the foundations of most of the institutions of Lower Canada. And so again, to-day, with respect to the Supreme Federal Court. How did it occur, he would ask hon. members opposite, that the hon. member for Bagot never raised his voice, although he was very prolific in passing enconiums on the Confederation Act, to call the attention of the people of the Province of Quebec to the danger that would arise from the creation of a Federal Supreme Court, notwithstanding the fact that his leaders at that time, men whose orders he could not resist, had declared that the intention of the framers of the Constitutional Act was to establish for the whole Dominion of Canada a Court of Appeal. He maintained there was an absolute necessity for such a court. It was indispensable. If we were to have a Confederation in the full and best sense of the term, we must have a Federal Court. Speaking for the people of his own Province, he was aware that every one of them knew there were many obnoxious Acts of the Provincial Legislature, and probably not a few of the Acts of the Federal Parliament, which might be arrested before they went into operation and made absolutely null if there was a Supreme Court to examine and declare whether or not such laws were constitutional or otherwise. Unless this Court were formed, and formed soon, there was a sea of trouble and numberless difficulties in store for us. There was no other mode of settling difficulties of this nature than the establishment of a Supreme Court. Hon. members opposite had stated that there was no necessity for the court and that no one demanded it. On the contrary, so well agreed were all parties that such a court was requisite that a Bill for its establishment had been promised the country ever since Confederation. There had scarcely been since that period, a session of Parliament when statements in regard to the subject were not contained in the Speech from the Throne, and the people had been anxiously awaiting the formation of the court to bring before it questions of the greatest importance. As to the danger of its not having sufficient business to transact, he believed that the question would be rather whether there were sufficient Judges for the work. As to the allegation that the court would be perfectly useless so far as the Province of Quebec was concerned, its peculiar institutions were undoubtedly threatened with danger when cases were decided by a tribunal most of whom were ignorant of the laws of Lower Canada, and he would oppose the Bill if he were not convinced that its passage would have the effect of abolishing appeals to the Privy Council. He would certainly have taken that step if the effect of establishing that court would not be to abolish those appeals, because it would be somewhat onerous to a litigant to impose on him the cost of an additional appeal, and to take the case from the Supreme Court to the Privy Council at a cost of one thousand or twelve hundred guineas. The only safe way of abolishing the appeal to the Privy Council was by establishing a Supreme Court. Was there any lawyer in Lower Canada who would not prefer to have a case of importance brought before a court of justice where at least two of the Judges would be conversant with the laws of Quebec, than have the case sent to a tribunal where the Judges were entirely ignorant of those laws? Was there a Lower Canadian owning property who would not prefer that any case relating to property should be tried by a tribunal where two Judges were perfectly conversant with the Real Estate Laws of Quebec; rather than by a court which was entirely ignorant of those laws? That was the question as regards the Province

of Quebec. But some hon. members argued that we could not abolish the right of appeal to the Privy Council, and there were some hon. members for Ontario, especially the hon. member for Toronto Centre, who pretended that this right of appeal was a link binding us to Great Britain, that if the right of appeal were taken away it would weaken our connection with the Mother Country. He wished to ask hon. members why, if the Federal Parliament was fit to legislate on subjects of vast importance connected with the interests of this country, men could not also be found able to interpret our laws. If this Parliament were called upon to legislate for a country twenty times as large as Great Britain, if we had men who understood the interests and wants of this country—men who were called upon every day to make laws and modify those that were already made—was it to be said that we could not find within this broad Dominion — extending, as we were frequently told, from ocean to ocean—men as competent to interpret our laws as the arbitration in England ; for the Judges of the Privy Council were after all only arbitrators as between litigant parties. As far as our Canadian laws were concerned, those Judges did not know even their elementary principle. He found that a prejudice existed in the minds of some Englishmen in regard to the appeal to the foot of the Throne, and they thought that by removing this right Parliament would be depriving them of a privilege which was inherent to every British subject. When he came, however, to read authorities on this subject he found that during no period—not even the PLANTAGENET period—did an English King administer justice, except through his Judges. It was a well known fact that no English King ever sat upon the judicial tribunal except one, and he was advised by his Judges not to express any opinion upon the case. If that were so the natural inference was that the law was administered by English Judges. Were Canadian Judges not English Judges ? Did not our Judges also render justice in the name of HER MAJESTY, and were they not selected as Judges were in England on account of their capacity and ability to administer the laws ? If in England a British subject found justice at his own door, and if there men were found competent to understand and administer the laws, why should the people of Canada, who were also British subjects, submit—for he called it a submission—our Judges to the contumely of being suspected of ignoring the law ? Why should the people have to appeal to the Judges of what was practically a foreign country ? He did not say a foreign country in a political sense, but meant it in a judicial sense. If the position of the people of Ontario and Quebec were reversed, that appeal to the Privy Council would have long since been abolished. It was admitted that the law of Lower Canada was different from that of the other Provinces, there was not a man who had read the pages of the Quebec law who was not ready to admit that it was as different from the Common Law of England as was the Chinese law. Questions which sometimes embraced the whole system of the law of Lower Canada were decided by Judges who were only conversant with the Common Law of England, and perchance the tribunal had the benefit of an Equity Judge, though such was not absolutely required. If the people of Ontario or of any other Province in the Dominion, except Quebec, were called upon to submit to the Cour de Cassation in Paris, how long would their temper permit such a state of affairs to continue ? And yet the people of Quebec occupied a precisely similar position. But irrespective of the position occupied by Quebec, there were paramount reasons why in the interest of the whole Dominion a Federal Supreme Court should be established, because it would not be disloyal to say that we are laying the foundations of a great country and are preparing to establish a nation in Canada. We are preparing for the future. We have formed laws which meet our wants and which suit our peculiar circumstances, and those laws were not and could not be the same as those of England ; and on a question of interpretation, the judicial atmosphere in which the English Judges lived was different from that in which dwelt the Judges who were born and brought up in Canada and were acquainted with the wants of this country. Assuredly there were wide differences between the laws of the English Provinces of the Dominion which could not be so well appreciated by the Judges on the other side as in this country. Unless we were prepared to say

that we could not find in Canada competent Judges to interprete our laws, we were not bound to retain the appeal to the Privy Council. Supposing that the creation of a Supreme Federal Court should not have the effect of immediately abolishing the appeal to the Privy Council, on whom would rest the responsability? Under the Code of Lower Canada there was a right of appeal from the Court of Queen's Bench to the Committee of the Privy Council given in all cases over £500 sterling. After the Bill now before the House had become law, the responsibility of retaining that right of appeal would rest entirely upon the Local Legislature. He did not, however, believe it would be retained during a single session; but expected that, when the Supreme Court was created, the Provincial Legislature of Quebec would withdraw that right. He found that in England, notwithstanding the right to appeal to the Privy Council, and notwithstanding that this was reserved by the original Act giving the first Constitution in the Province of Quebec. Although it was reserved absolutely, they had always admitted the right of restricting this appeal and attaching to it any conditions the colonies might think proper to establish. The origin of this Bill was well explained in all the English law books. It was nothing but a dismemberment of the high court of Parliament. It was the House of Lords who had this jurisdiction, and they, in olden times, established a separate committee, the tryers as they were called, to determine all cases which came from France, that is, the Provinces which were then under the Dominion of England, such as Normandy and Brittany. This was continued and reserved afterwards to the Channel Islands. As a sort of favor, it was afterwards extended to the plantations, because it was understood they had not competent Judges to administer the laws of England. As there might have been great interests at stake, they reserved this right to appeal to HIS MAJESTY in his Privy Council. But it is nothing but a sort of branch of the original jurisdiction of the House of Lords, and in England, no later than last year, they thought proper, notwithstanding the great attachment to their institutions, notwithstanding the veneration they had for the jurisdiction of the House of Lords, after a long debate they resolved by an immense majority in the Imperial Parliament to abolish the appeal to the House of Lords and to create a Supreme Court of Appeal, and in that statute the Privy Council is abolished also, and its jurisdiction is transferred to this Supreme Court of Judicature of England. Consequently the appeal to the Privy Council will exist no more, even for the colonies. We shall have to resort to this Supreme Court of England, and if the Imperial Parliament is competent, if it is a privilege with the sanction of HER MAJESTY, who abandons her prerogative on that subject, to substitute a Supreme Court for an appeal to the House of Lords—why should not we, with the sanction of HER MAJESTY to this Bill, be entitled to establish a Court of Appeal which would meet all the requirements of this Dominion. This was the benefit which the Bill proposed to confer upon the inhabitants of this Dominion. Even before this Bill in England the procedure of appeal to the Privy Council was regulated by statute; its jurisdiction was defined and limited by statute. Consequently everything could be done by statute in England, and as we are a branch of the British Empire, we should certainly have the same privilege as they have, provided we do not invade the prerogative of HER MAJESTY, or that she condescends to abandon her prerogative in favor of her subjects in America. He thought from the peculiar disposition of the Province of Quebec that an amendment should be introduced in order to meet the objection which had been raised by some hon. gentlemen on the opposite side—that is, when two of the Quebec Courts would be unanimous in an opinion as to judgment to be rendered, that except in commercial questions there should be no appeal to the Supreme Court. As the hon. member for Montmorency remarked there was no difference in the principle of the commerce which regulates the Province of Quebec to that of the British Empire, and everything tends to bring about an assimilation of laws throughout the world. Consequently there could be no objection, and it would be a great benefit to have this court to adjudicate upon every question of commercial law. Moreover, on all questions of bankruptcy and insolvency, and, also in cases of corporations, it would be well to have the decisions of this court. In order to avoid

a great objection which might rise in the opinion of some hon. gentleman from Lower Canada, by establishing this proviso, that when two or three courts in Lower Canada should have been called upon to decide cases, and should settle them unanimously, he would ask, in that case, there should be no appeal; but when one court should have given a different opinion, or the Court of Appeal might have been divided, then there should be an appeal to the Supreme Court. This would give to the people of Quebec every guarantee possible or desirable, because then they would have two or three, and sometimes four Judges of the Lower Court concurring with Judges of the Supreme Court; and this would certainly secure the maintenance, and would prevent the invasion of the principle of their law. He believed that this amendment, if assented to by the Minister of Justice, would be accepted with great favor by the people of Lower Canada. He believed that the character of the men who should be selected for this Court must necessarily be such that we would have no reason to regret their comparison with the hon. Lords who sit in the Privy Council. He believed there were men in this House, on both sides of it, who were equal to these hon. Lords. He had witnessed the deliberations of the Privy Council, and he had argued cases before them. Perhaps he had not sufficient occasion to appreciate their merits. He acknowledged they were great men, superior men, but he was not willing to admit there were not as good and great men in this country. When we should have a court composed of our fellow citizens, he thought it would be better prepared to understand the peculiarities of the Quebec Law and to give an opinion. They would be always at hand to state the laws and better able to apply them than in the case of the Privy Council, where they had the whole universe almost to judge. They had to judge not only French Law, but Spanish, Dutch and Hindoo Law. They were called upon sometimes, in the same day, to decide three or four cases in law, and these of a variegated description. He understood if this Supreme Court was to regulate and definitely settle all the questions which involved the interests of Lower Canada, that Province was entitled to two of the six Judges. With those two Judges who would be, he was certain, men of the highest position, and against whose integrity no one could raise suspicion, the provision would have more and better safeguards than under the present system.

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

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AFTER RECESS.

Mr. OUIMET said that the Bill now before the House was of very great importance inasmuch as it involved constitutional questions of some magnitude, and created an entirely new judicial system. He understood that this Bill involved serious encroachments on the Provincial privileges that were secured to Quebec by the British North America Act. He was very much astonished to see that this Superior Court Bill was being forced upon the House by the very men who used to be most strenously opposed to it when they were in opposition. He ventured to say that this measure brought with it a great constitutional change in our system, and that part of it, at any rate, was unconstitutional inasmuch as it was contrary to the spirit and letter of the British North America Act. This Bill was based upon the 101st Clause of that Act, which said that the Parliament may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance and organization of any additional courts for the better administration of the laws of Canada. He (Mr. OUIMET) held that this term, "Court of Appeal of Canada," must be read together with the following words "and generally courts for the better administration of the laws of Canada." What confirmed him in this opinion was that in the construction of the Statute be taken the general meaning of the Act. He referred to Clauses 91 and 92 where the powers of the different Legislatures were defined. If this 101st Clause were interpreted to justify this Bill, it would give to the Superior Court an appelate jurisdiction in matters connected with civil procedure, and destroy the whole meaning of the Clauses 91 and 92. The 91st Clause declares that "It shall be lawful for the QUEEN with the advice and consent of the Senate and House of Commons, to make laws for the peace and order and good government of Canada in relation to all matters not coming within

the class of subjects reserved to the various Provincial Legislatures." And in the 92nd clause, amongst these excluded subjects, under the 13th section, are property and civil rights in the Provinces, and the administration of Justice, including the constitution, maintenance and organization of the Provincial Courts both of civil and criminal jurisdiction, and including proceedings in criminal matters in those courts. When he saw this Parliament dealing with precisely those matters exclusively reserved to the jurisdiction of the Provincial Legislatures, he could not resist coming to the conclusion that it was an encroachment on the rights and privileges secured to the Provinces by the British North America Act. These clauses providing for the establishment of a General Court of Appeal said that the Dominion Parliament might establish a Court of Appeal for the better administration of the Laws of Canada from time to time, or as it appeared by the French translation, when there was need for it. He thought that the Provinces did not now need that legislation—they did not require this Court of Appeal. It was intended that this court should be composed of seven Judges, two of whom would be chosen by the Province of Quebec. Now, every one knew that there were special laws in that Province—special usages, of which the people of the other Provinces were entirely ignorant; and no doubt a great many of the Provincial Laws of other Provinces were also peculiar to themselves. In Quebec, as elsewhere, there were tribunals of original jurisdiction, and tribunals of appellate jurisdiction. In Quebec they had after the Superior Court the Court of Review, or Superior Court sitting in review. Then there was the Queen's Bench sitting in review. In this court the first Judges could sit in the same cases. Thus it would be seen there were nine Judges pronouncing upon the same question, and he contended that the feeling in the Province of Quebec has been to restrict that power of appeal. In Quebec lately the Local Legislature had restricted the right of the intermediate jurisdiction of the Court of Review because it was ruinous for litigants, yet here they were called upon to establish a new court giving a new appellate jurisdiction. When the people would have gone through the Superior Court and Court of Review, and through the Queen's Bench in appeal, they would be able still to come before the Supreme Court and after that would be at liberty to go to the Judicial Committee of the Privy Council thus being subject to four or five separate jurisdictions; and he held that a party who had gone through all these courts must be either a very rich man, or he would be ruined before the case came back from England. He would deal with the arguments employed by the hon. member for Jacques Cartier. In the first place the hon. member had contended that the Supreme Court would put an end to the appeal to the Privy Council. He (Mr. OUIMET) did not see how that could be done. It might be restricted, and he thought the Provincial Legislatures could effect that. At present an appeal could not be taken for less than £500, or $2,000. If in Quebec they were dissatisfied with that state of things, he would venture to say the Local Legislature might fix the amount at say £5,000 or £10,000, which would render the right of appeal nearly useless. But no such demand had been made on the Quebec Legislature. He objected to the Supreme Court having jurisdiction in civil matters because Quebec would be represented in that court by only two Judges, and when they should agree upon a decision it would be confirmed. Now, there was no necessity for an appeal before a court of two Judges only, when there were five Judges in Lower Canada. No one would venture to judge the qualification of Judges by the name of the court to which they belonged. No one would venture to say that Judges of Superior Courts were not equal in a great many instances to the Judges of the Court of Queen's Bench. The House was aware that some Judges of the Superior Court in Lower Canada had refused to accept an appointment to the Court of Queen's Bench, and it was not to be supposed that there would be greater intelligence, or knowledge of the law in the Appeal Court, but there would be a greater number of Judges, and five Judges would understand the law better than one could. He knew of one case having been decided in a court below by one Judge, in favor of the defendant. The case went to review, and the court decided unanimously again in favor of the defendant, and when the case was appealed before five Judges, three of them

decided in favor of the plaintiff, reversing the judgment of six other gentlemen of equal capacity, and the defendant was obliged to comply with that judgment. So it would appear, there was no need of multiplying the appeal jurisdiction in any way. There was no guarantee that the rights of Quebec would be preserved in this Supreme Court. There would be only two Judges presumed to have a perfect knowledge of the laws and usages of that Province, and although he was satisfied the Government would appoint the ablest men in the Dominion, the people would have no better confidence in that Court than in the Provincial tribunal. The argument of the hon. member for Jacques Carter that there would be better justice administered by this court than by the Privy Council was no reason why the Supreme Court should be given jurisdiction in civil matters. The Bill was unconstitutional and encroached on the rights of Quebec. By the 12th clause it was provided that appeals might be taken from the judgement of the Provincial Courts whether of original or appellate jurisdiction. So in civil matters they would be obliged to go before a tribunal essentially ignorant of the laws and usages of Quebec, for, as every one knew, the theory of law was not sufficient for a Judge to give confidence to an appellant. A man might be versed in the theory of law, and yet in applying it where principles were so conflicting, practice was necessary. In Quebec an advocate must have ten years' practice before he can be a Judge. The Judges from the other Provinces might have the finest intelligence and the best talent possible and yet not give such satisfaction to the people of Quebec as their own judiciary. The 92nd clause of the British North America Act, provided that Quebec shall have the exclusive right to deal with civil rights in that Province, and it was clear that this Bill was unconstitutional inasmuch as it comprised an old system of civil procedure, and an old system on the execution of judgement in civil matters. He spoke for the Province of Quebec though he did not intend to speak from a personal point of view. He understood all the other Provinces had just the same reasons that Quebec had against giving to themselves appellant jurisdiction in such matters. The hon. member for Jacques Carter thought there was no reason to complain of this law. It was the fault of the British North America Act, and that Act had been drafted or enacted only for party purposes, and to help the party to remain in power. This reason was bad, because if the hon. member ventured to say that the principle laid down in our constitution was bad, he must agree that he ought to have prevented that Act from being put into force. If it was bad in itself, as hon. members on the other side contended, why did they at the same time want to force its meaning to the most extreme point by enacting a law that might be prejudicial to the Provinces. The hon. member, had, also, remarked that it was strange to see members in the Opposition side of the House complain of this Bill when it had been brought before the House several times by the late Government, Now, he (Mr. OUIMET) was not aware that the Bill had ever been discussed before in this House, and he could assert from personal knowledge that if it had not been pressed on this House before this session, it was on account of the strong doubts raised in the mind of its author, and it was especially on account of the strong pressure brought to bear on the late Government by hon. gentlemen who were now in the Opposition. If it was not pressed last year, it was in consequence of the strong antipathy which a great many Quebec members, who supported the Minister, felt towards it. How was it that they changed their opinions so soon? How was it they now came to sustain a change they had every reason to oppose at the time it was introduced by the late Government, and when it was brought up again by this Government last session? As the Bill proposed to make such serious encroachments on the rights of the Province of Quebec, he hoped the hon. Minister of Justice would not press it this session, unless he chose to remove from the Bill appellate jurisdiction in civil matters.

Mr. TASCHEREAU stated in reply to the hon. member for Laval that in 1869 the Supreme Court measure was first brought before the notice of Parliament, on which occasion the Bill was merely introduced and there was not a word of discussion on it. In 1870 the subject of establishing a Supreme Court was men-

tioned in the Speech from the Throne and a Bill in regard thereto was introduced by the hon. member for Kingston. There was again no discussion in the House; a few remarks, only, being made, merely of an interrogatory character by the hon. member for South Bruce and the hon. member for Cardwell, then representing Peel. The subject was again referred to in the Speech from the Throne last year. But a Bill thereon was never prepared by the Government, and therefore could have been withdrawn on account of pressure brought to bear by hon. members in the House. On a previous evening he had objected to several details of the measure which he thought prejudicial to the Province of Quebec, and he intended when in Committee of the Whole, or when concurrence was taken, to move an amendment in order to express his views; but on that occasion he had not opposed the principle of the Bill and did not oppose it now. He would vote against the amendment of the hon. member for Joliette.

The amendment was negatived on the following division:—

YEAS:

Messieurs

Baby,
Bèchard,
Bernier,
Bourassa,
Caron,
Cheval,
Cimon,
Coupal,
Cuthbert,
Dugas,
Gaudet,
Harwood,
Hurteau,
Macmillan,
McCallum,
McQuade,
Masson,
Monteith,
Montplaisir,
Mousseau,
Ouimet,
Pinsonneault,
Platt,
Rouleau,
Rymal,
Scatcherd,
Wallace (*Norfolk*),
White—28,

NAYS:

Messieurs

Appleby,
Aylmer,
Bain,
Barthe,
Bertram,
Biggar,
Blackburn,
Blain,
Blake,
Borden,
Borron,
Bowell,
Bowman,
Brouse,
Brown,
Burk,
Burpee (*St. John*),
Burpee (*Sunbury*),
Cartwright,
Casey,
Casgrain,
Cauchon,
Church,
Cockburn,
Colby,
Cook,
Costigan,
Cunningham,
Currier,
Davies,
Delorme,
De St. Georges,
Devlin,
Dymond,
Ferris,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Fraser,
Frechette,
Galbraith,
Geoffrion,
Gibson,
Gillies,
Gordon,
Goudge,
Hagar,
Higginbotham,
Holton,
Huntington,
Irving,
Kerr,
Krik,
Laflamme,
Laird
Lajoie,
Landerkin,
Langlois,
Laurier,
Little,
Macdonald (*Cornwall*),
Macdonald (*Kingston*),
McDonald (*Cape Breton*),
MacDonnell (*Inverness*),
Macdougall (*Elgin*),
McDougall (*Three Rivers*)
MacKay (*Cape Breton*),
McKay (*Colchester*),
Mackenzie, (*Lambton*),
Maclennan,
McCraney,
McGregor,
McIntyre,
McIsaac,
Metcalfe,
Mills,
Moffat,
Moss,
Norris,
Oliver,
Paterson,
Pelletier,
Perry,
Pettes,
Plumb,
Pouliot,
Power,
Pozer,
Richard,
Rochester,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Schultz,
Scriver,
Sinclair,
Skinner,
Smith (*Peel*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thompson (*Haldimand*),
Tremblay,
Trow,
Tupper,
Vail,
Wood,
Wright (*Pontiac*),
Young—113.

Mr. OUIMET said that as he believed appelate jurisdiction of the Supreme Court should be limited to the laws enacted by the Federal Parliament, he moved the following amendment:—"That the SPEAKER do not now leave the chair, and as the passing of the Bill would have the effect:—

1. "Of virtually depriving each Province, in a very great proportion, of 'administration of justice,' the control of which is, by the Constitution, reserved exclusively to the Local Legislatures and Governments, at least in so far as relates to laws respecting Property and Civil Rights and Civil Procedure in each Province.

2. "Of removing that administration of justice to judges 'indiscriminately' taken and selected from 'the whole' of Canada, whereas by the Federal compact the Judges of 'each' Province (except the Province of Quebec) are to be selected from the respective Bars of those Provinces 'so long as' their laws remain 'unconsolidated;' and as to the Province of Quebec, in particular, its Judges are always to be selected from among the Members of the Bar of 'that same Province.'

3. "Of submitting the laws relating to 'property,' to 'civil right' and to 'civil procedure' in the Province of Quebec, the causes and the

fate of citizens of that Province to Judges, who, for the most part are strangers to their language, their manners, their usages and their customs, to the origin of their codes and to the numerous commentators, thereon, and to the practice of their Courts.

4. " Of submitting and attributing to the said Supreme Court the management and control of matters which are 'not common' to the 'whole' country.

" Resolved that it is not expedient to have a Court of Appelate Jurisdiction in cases involving questions of property, civil rights and civil procedure."

Hon. Mr. MACKENZIE asked if the amendment was in order.

Mr. SPEAKER it was not exactly the same as that which had been previously moved because it did not go quite so far as the other amendment. But it was in the nature of an instruction to the committee directing it to do what it had ample power to do, namely, to alter the character of the Bill to a certain extent.

Hon. Mr. BLAKE said the amendment was either intended as an instruction to the Committee or it was an attempt to defeat the whole Bill because a small portion of it was thought to be objectionable. It was exactly the same objection that was taken to the objection by the hon. member for Joliette. The better course for the hon. member to pursue was not to press the amendment at this stage, and thus stop the progress of the Bill entirely, but to submit it either when the House was in committee or in concurrence, and thus strike out the clauses which gave the court power to deal with subjects within the jurisdiction of the Local Legislature and Local Courts. By adopting any other course the hon. member would not obtain a correct expression of the House for all the hon. members who were in favor of a Supreme Court Bill would vote against it notwithstanding the fact that some of them might be in favor of restricting the jurisdiction of the court.

Sir JOHN A. MACDONALD thought the hon. member for South Bruce had put the case very correctly. The motion was perfectly in order but it would not have the effect intended by the mover. He advised the hon. gentleman to submit his amendment at a subsequent stage.

Mr. CUIMET withdrew his amendment.

The House then went into Committee on the Bill (Mr. CASGRAIN in the chair).

The first four clauses were adopted.

On the fifth clause, respecting the precedence of Judges,

Mr. MILLS asked what authority this Parliament had to establish any order of precedence as between the Judges of the Provincial Courts and those of the Supreme Court.

Hon. Mr. FOURNIER said the Judges of the Provincial Courts were officers of the Dominion Government as well as the Judges of the Supreme Court.

Mr. MOSS pointed out that the Bill did not provide what rank the Judges of the Court of Error and Appeal of Ontario would be entitled to.

Mr. MILLS—It seems to me that we should strike out the clause.

Mr. MOSS—That may be, but if we are to retain it we should provide for those Judges.

Hon. Mr. BLAKE observed that if the Judges of the Supreme Court and of the Provincial Courts were to come into contact, it might be worth while to settle the important question of which was to walk in and out first, but it was not probable they would ever come in contact.

Mr. MACLENNAN said that a Chief Justice of a Province who had precedence over the Pusine Judges of the Supreme Court by virtue of the seniority of his appointment would lose that precedence by appointment as one of the Pusine Judges of the Supreme Court.

Hon. Mr. BLAKE said it had been decided that a Judge appointed under such circumstances did not lose his precedence.

Sir JOHN A. MACDONALD said that he did not see any legal necessity for this clause, but he took it that socially the GOVERNOR as representative of the fountain of honor should see to it that the Judges of the highest courts had their proper rank.

Hon. Mr. BLAKE—I think if we get the question down to a social one it should disappear from an Act of Parliament.

The clause was adopted. Also the sixth clause. On the seventh, the blanks for the salaries of Judges were filled up with $8,000 for the Chief Justice and $7,000 for each of the Pusine Judges,

Mr. PALMER thought the amount was too high, and would prefer to see the salary of the Chief Justice reduced to $7,000 and the others to $6,000. For a number of years these Judges would have very little to do, and if it was found that if

their duties were greater than anticipated the salaries could very easily be increased.

Sir JOHN A. MACDONALD called attention to the fact that the House had already adopted a resolution fixing the salaries at $8,000 and $7,000, and it was not competent for the committee to change these amounts. On concurrence they might be changed.

Mr. PALMER said he did not propose to move an amendment now, but merely to place his views before the Government.

Mr. SCATCHERD said the first proposition of the Government was to fix the salaries at the amount mentioned by the hon. member for St. John, but it appeared that the policy of the Government on that point was changed after the Bill had been presented to the House, although he had no recollection of any petition having been presented to that effect. The hon. member for St. John had spoken of the proposition of the late Government, but that was a Conservative Government. This Reform Government appeared to reform in the direction of increasing salaries, although in doing so they had to change their deliberately formed policy.

Mr. PALMER said if he had understood that, he would not have made the observations he had made. He did not see that it was necessary for a Reform Government to assert itself by increasing salaries.

The clause was carried, as were also clauses 8, 9 and 10.

The words "of emolument" were inserted after the word "office" in the 11th clause, thus prohibiting any Judge from holding any other office of emolument under the Government.

The 12th and 13th clauses were adopted, five Judges being constituted a quorum.

On the 14th clause,

Mr. MOSS asked whether there was any practical necessity for retaining the words in the Act "proceedings in error." The proceeding that the Act contemplated was exceedingly simple. It was in reality by appeal in every case. No writ of error was provided for by the Act.

Mr. PALMER read an amendment which he proposed to move in concurrence, in order to provide that every case which was now appealable to the Privy Council would be appealable to the Supreme Court.

Sir JOHN A. MACDONALD approved the suggestion of the hon. member for West Toronto that procedure should be simply by appeal.

Hon. Mr. BLAKE was also of a similar opinion. He suggested that a clause be inserted to provide that all matters, whether of appeal or error, should be appealable by way of appeal simply, and that the words "proceedings in error" should be struck out wherever they occur.

Hon. Mr. FOURNIER accepted the suggestion, and the clause was adopted.

The words "proceedings in error" were struck out of the 14th clause, and it was then adopted.

The fifteenth clause was amended on the suggestion of Mr. Moss, so as to provide that in the case of the absence or illness of the Chief Justice one of the other Judges might convene the court.

On the sixteenth clause,

Mr. IRVING moved in amendment:—"That no error or appeal shall be brought from any judgment or order of any court of any of the Provinces subsequent to the commencement of the said Act to HER MAJESTY in Council, but every decree and order of all courts of final resort within the several Provinces in respect of any subject matter or proceeding wherein appeal now lies from any such court to HER MAJESTY in Council shall and may be appealable to the Supreme Court. He said the object of this amendment was to shut off appeals to the Privy Council from any Provincial Court without the case being first brought to the Supreme Court. He referred to the statutes of WILLIAM and of VICTORIA and compared them with the Confederation Act to show that Parliament had power to adopt the amendment he proposed.

Hon. Mr. FOURNIER said it would be necessary to abrogate Provincial Laws in order to carry out the proposition of the hon. gentleman, and he was not prepared to deal with that question now. It might be a question for the Supreme Court to decide whether this Parliament could adopt such a proposition.

Mr. MACKAY (Cape Breton) supported the amendment and argued that one great object of the court, namely, to obviate the expense of appealing to the Privy Council would be defeated.

The amendment was lost, and the clause adopted.

Hon. Mr. FOURNIER agreed to

amend the 17th clause by providing that cases involving an amount of $500, instead of $1,000, might be appealed to the Supreme Court.

Mr. LAURIER moved in amendment: That in the Province of Quebec this section shall apply to all cases of Insolvency or Bankruptcy and all cases of a commercial nature and cases relating to the general Laws of Canada and in other cases where one of the inferior courts shall have rendered a different judgment from that of a higher court, or when the judgment in appeal in that Province shall be given unanimously confirming or reversing such judgment.

Hon. Mr. FOURNIER suggested that the amendment be placed upon the journals and it could be considered subsequently.—Agreed to.

Mr. MILLS gave notice that on concurrence he would move an amendment to the 17th clause to exclude appeals in cases arising under Provincial Laws. While he was anxious to see this court established as an Appeal Court for Canada, he did not desire to see it hold control over the laws of the various Provinces. They ought to be left to manage their own affairs in their own way, and if not satisfied with the decisions of their Judges they could amend their laws as they thought right and proper.

The clause was passed.

The remaining clauses to the 40th, with the exception of the 29th which was struck out, were passed and the committee rose and reported progress.

The House adjourned at 11.15 p. m.

HOUSE OF COMMONS,

Monday, March 29th, 1875.

The SPEAKER took the chair at three o'clock.

BILL INTRODUCED.

Hon. Mr. FOURNIER introduced a Bill to continue for a limited time certain Acts therein mentioned.

The Bill was read a first time.

THE DUTY ON STAVE-BOLTS AND OAK LOGS.

Hon. Mr. CARTWRIGHT moved the reception of the report of Committee of the Whole on the resolution for the purpose of amending the Act 31 Vic., Ch. 55, so as to repeal the export duty on stave-bolts and oak logs.—Carried.

The resolution was read the first and second times.

Hon. Mr. CARTWRIGHT introduced a Bill based on the resolutions, which was read a first time.

APPOINTMENT OF HARBOR MASTERS.

Hon. Mr. SMITH moved the second reading of Bill to amend the Act 36 Vic., Cap. 9, and 37 Vic., Cap. 34, respecting the appointment of harbor masters. He explained in reply to a question by Hon. Mr. MITCHEEL, that the Bill empowered the Government to supplement the remuneration to harbor masters for extra duties imposed on them. It was not proposed in this Bill to increase their salaries, but to empower the Government to do so when it was deemed necessary or advisable.

Hon. Mr. MITCHELL withdrew his objection to the Bill.

Mr. MACDONNELL asked what had been done with regard to the placing of buoys.

Hon. Mr. SMITH said the harbor masters would be required to superintend the placing and taking up of buoys.

The Bill was read a second time and referred to Committee of the Whole, Mr. BURPEE (Sunbury) in the chair.

Hon. Mr. HOLTON said this Bill was suitable to the circumstances of the minor ports in the Maritime Province, but not at all to the circumstances of the minor ports or harbors of the St. Lawrence. He suggested to the Minister of Marine and Fisheries that the committee should rise in order that the hon. gentleman might have an opportunity to consult with members of the Montreal Harbor Commission, with a view to inserting a clause giving to the Government instead of to the Harbor Commissioners of Montreal, the power of appointing Harbor Masters in the minor ports along the St. Lawrence.

Hon. Mr. SMITH adopted the suggestion and the committee rose and reported progress.

QUEBEC TRINITY HOUSE.

Hon. Mr. SMITH moved the second reading of the Bill respecting the Trinity House and Harbor Commissioners of Quebec.

Sir JOHN A. MACDONALD was understood to suggest certain modifications of the Bill, but owing to the noise in the vicinity of the reporters' table he was inaudible.

Hon. Mr. MACKENZIE said the Government were taking the same course with regard to the Quebec Harbor Board that they had with regard to the Montreal Harbour Board; that is, as the Board would have the disbursement of a large amount of public money, the Government thought it only right that they should have the appointment of the majority of the Board.

Hon. Mr. MITCHELL made a statement of the position of the Quebec Harbor Trust. He said when it was originally created it received power to borrow money, and did so to the extent of $700,000. It likewise received power to levy a duty of five cents per ton upon all vessels coming into the Port of Quebec. The object of raising this money and imposing this charge was to enable the Board to provide better facilities for shipping. Instead of providing these facilities, the Harbor Trust spent the money in purchasing existing wharves, and in building a separate dock at the mouth of the River St. Charles. In fact they provided very few additional facilities to the shipping. The result was that the rent received for these wharves did not pay the interest upon the bonds. That state of things continued for a considerable time; and for two or three successive years negotiations were carried on with the Harbor Trust and the Quebec Board of Trade with a view to improving the condition of affairs. The Harbor Trust wanted to get their bonds paid which were in arrears, and the Board of Trade wanted the additional facilities for shipping which were promised when the five per cent. duty was levied. In fact an agitation had begun among the business men to have this duty abolished seeing that the facilities promised had not been provided. It was represented to the Government that as they had the appointment of the majority of the Harbor Trust they were responsible for the unfortunate state into which its affairs had fallen. The result was that surveyors were appointed to inquire into the condition of the Trust, the extent of the facilities to shipping which had been provided by it, and into the financial state of its affairs. On the information thus received he recommended that the debt of the Harbor Trust should be consolidated, and that the Government should agree to capitalize the amount at five per cent. interest, and take the management of the Trust into their own hands. That was not agreed to, and the negotiation failed. The year before last the negotiation was again resumed, and a committee from the Harbor Trust, the Quebec Board of Trade, and the shipping interest, came to Ottawa for the purpose of entering into some arrangement which would put the Trust upon a better footing and provide better facilities for shipping. The proposition agreed to was that the Government should buy up the Harbor Bonds, that a new Trust should be constituted, and that an additional charge should be placed upon certain goods coming into and leaving the Port of Quebec, and upon that proposition was based the law of 1873. The law gave the Government a minority on the Board, but still the minority was sufficiently large to protect the public interests. Now, in view of the failure of the old system why did his hon. friend wish to return to it. History would repeat itself and it would be found in the course of time that the Quebec merchants would again throw the responsibility of the failure of the Harbor Trust upon the Government, because they had the appointment of a majority of the members, and the Government might again have to buy up more worthless bonds of the Trust. Only from a party point of view could he see any advantage in this measure. It would give the Government a little more patronage, but it would increase their responsibility in a way that they might yet have to pay dearly for.

Hon. Mr. SMITH took issue with the argument of the hon. member for Northumberland, that the tax was local in its operation. Every man in the Dominion, especially those in the western Provinces, were interested in the question. Every shipowner in this country and many shipowners in England who send their vessels to Quebec, were interested in the tax. Those persons would, of course, prefer that the Government should have control of the Board which would have the power of levying the tax on shipping, and he was surprised that the hon. member for Northumberland should have contended that the

people of Quebec should control that body. The citizens of that port desired to construct a graving dock, but finding that they were unable to carry out the work unaided, they applied to Government for assistance to the extent of half a million dollars. While acceding to that request the Government acted in the interests of the Dominion in providing that they should have control of the Board which would have charge of disbursing the money. The Government proposed in the Bill to abolish the Quebec Trinity House which appeared to be an excrescence, and thereby a considerable economy would be effected. They proposed also to make the chairman of the corporation of Pilots an *ex-officio* member of the harbor commission, which arrangement would meet the views of hon. members from Quebec.

Hon. Mr. CAUCHON—He was an *ex-officio* member of the Trinity House.

Hon. Mr. SMITH said the Bill did not ignore the interests of Quebec, for the Mayors of Quebec and Levis, and the Boards of Trade of those cities would be represented on the Board, as well as the shipping interests of the Dominion. He hoped all opposition to the measure would be withdrawn as it was absurd to expect Parliament to be bound by arrangements of a private nature which might be made.

Sir JOHN MACDONALD said it was quite true that neither Parliament nor the Government were bound by any private conversation. But in the case referred to the representatives of the mercantile interests at Quebec come to Ottawa aud had a series of discussions with several members of the Cabinet, at which an arrangement was arrived at. The Act which carried that arrangement into effect provided for the establishment of a Board of Harbour Commissioners, comprising nine members, three to be appointed by the Governor, two by the Quebec Board of Trade, one by the Levis Board of Trade, and three by ship owners, shippers and consignees. That arrangement was carefully entered into, and no doubt all the facts were stated to Parliament at the time.

Hon. Mr. MACKENZIE said that, supposing the arrangement was arrived at on consultation with representatives of the general shipping interest, the circumstances were entirely changed, because Parliament was voting Quebec half a million dollars for a specific purpose. That would involve an additional burden not only on the Port but on the commerce of the country, and it was only on the condition that the Government obtained control of the Harbour Commission the Government were prepared to advance the money.

Sir JOHN MACDONALD reminded the hon. First Minister that the other night he stated that the graving dock at Quebec was not going to be a Government work but a local work, and for that reason the Government were not bound to state the location of the dock. But the Government by assuming the controlling power render the dock a Government work in fact, and all the arguments of the hon. Flrst Minister the other night, therefore, went for nought.

Hon. Mr. MACKENZIE explained that his statement made the other night was to the effect that the Government would exercise control on fixing the location of the dock; but they would endeavour to arrive at a decision in accordance with the views of the Harbour Commissioners of both ports. He was not aware that his statements had not been thoroughly consistent.

The Bill was read the second time, and the House went into Committee on the Bill, Mr. FERRIS in the chair.

Hon. Mr. MITCHELL replying to the previous remarks of the hon. Minister of Marine and Fisheries, said the people of the whole Dominion were interested in the free navigation of the St. Lawrence, but the port of Quebec was only incident thereto.

Hon. Mr. SMITH—Who pays the dues.

Hon. Mr. MITCHELL—The people of the port at first.

The first twelve clauses were passed without further discussion.

On the 13th clause,

Hon. Mr. HOLTON called attention to the fact that the Harbor Commissioners of Quebec had so construed the powers they enjoyed so as to impose upon property not landing at Quebec at all, but merely passing *in transitu* to Montreal. They imposed dues on goods transferred in the middle of the stream from sea-going vessels too heavily laden to pass up to Mon-

treal to lighters. This he was sure was never contemplated by those who framed the Act on this subject. The effect of these charges was to impose double harbor dues on the same cargoes ; first, in the middle of the stream at Quebec, and secondly, in the Harbor of Montreal. He suggested that a clause should be introduced to amend the Act in such a way as to put an end to this manifest injustice.

Hon. Mr. CAUCHON said such a clause would enable vessels to evade paying any duties. On one cargo that he knew of there was a difference of $100,000 between the report of the Harbor Commissioners at Quebec and the Harbor Commissioners at Montreal. A portion of the goods after being transhipped into lighters was forwarded by rail. He objected to this discussion taking place in such an irregular manner. It should be introduced by a resolution declaring that the duty imposed at Quebec should be abolished. Then the matter would be fairly brought before Parliament.

Hon. Mr. HOLTON did not think it could be brought up on a more fitting occasion than this. The public policy of the country was involved in the proper distribution of burdens on commerce passing Quebec and Montreal. He would not move an amendment to-day, but would bring the matter before the House on the third reading It was only quite recently that the Act had been so construed by the Harbor Commissioners of Quebec.

Hon. Mr. MITCHELL said the point was a most important one in the interests of the trade of the West, and there was also something in what the hon. member for Quebec Centre had said. His (Mr. MITCHELL'S) idea was this, that ships transferring a portion of their cargoes in the middle of the stream to lighters, and did not avail themselves of the Port of Quebec should not pay dues ; but ships that used the wharves at that port could hardly expect to escape paying the tolls. It would be advisable to have a statement from the Minister of Customs showing what portion of goods was transhipped in that way at the Port of Quebec.

Hon. Mr. MACKENZIE said whoever proposed to bring this question up again should be prepared to show in what way this grievance complained of affected the revenues of the Port of Montreal. The point, as he understood it, was this : A vessel anchoring in the middle of the stream at Quebec and transhipping some of her cargo to lighters, was afterwards charged for the entire cargo on its arrival at Montreal, whether in the vessel itself or in the lighters. There was one point about this which should be understood. The Harbor Commissioners contended that vessels had the right to use the middle stream opposite Quebec, just as well as they would the middle of the stream at any other point between Montreal and the sea. That was plausible on the face of it, but it must be remembered that the Harbor Commissioners of Quebec were obliged to keep the river clear opposite the city. They were obliged to pay a large price every year for removing anchors and chains from the bottom of the river. At present there was not one chance out of every twenty that a vessel anchoring in the middle of the stream could recover her anchor, in consequence of the state of the bottom of the river. The Harbor Commissioners of Quebec claimed that, being obliged to expend a large amount of money for removing anchors and chains lost in the middle of the river, they should be entitled to more returns in the shape of charges on vessels anchoring there. He did not pretend to understand, precisely, the state of the case, but merely referred to this matter in order that it could be discussed when this subject was before the House again.

Mr. DEVLIN said he would be prepared to-morrow to lay before the House any statement that might be necessary under the circumstances.

Hon. Mr. CAUCHON said this was a public question, and should be dealt with as such. However, he had no objections to delaying the measure in order that the Montreal Harbor Commissioners might be heard, provided that time be given to enable the Quebec Commissioners to be heard also.

Mr. DEVLIN said it was manifestly unjust to impose duties upon ships that did not use the Harbor of Quebec, but merely transhipped in mid-stream.

Hon. Mr. MITCHELL pointed out that under the Act of 1873 power was given to the Quebec Harbor Commissioners to impose charges upon goods transhipped at Quebec whether at the wharf or in the stream.

The Committee then rose, and reported the Bill, with amendments which were concurred in, and the third reading fixed for to-morrow.

GRAVING DOCK AT QUEBEC.

The Bill respecting the Graving Dock in the Harbor of Quebec, and authorizing the raising of a loan in respect thereof was read the second time, and referred to Committee of the Whole forthwith — Mr. DYMOND in the chair.

Hon. Mr. HOLTON said the working of the fourth clause was ambiguous. He wished to know whether it was intended to give the Harbor Commissioners power to levy tolls generally on all vessels, or only on vessels using the Graving Dock.

Mr. DEVLIN said he had sent a copy of this Bill to the Harbor Commissioners of Montreal, but it could only have reached them yesterday morning: He would therefore ask the Premier not to take the final stage at present, but to leave the door open for representations from the Montreal Harbor Commissioners if any should be made. He would be in a position to-morrow to say whether they had any representations to make or not.

Hon. Mr. MACKENZIE said he did not know what the Montreal Harbor Commissioners could have to say in the matter. They had agreed with the Quebec Harbor Commissioners to pay $5,000 a year, and that was all the interest they had in the matter. The acting Chairman of the Montreal Commission was here last week, and wished to obtain for his Board some share in the management of the Graving Dock after it was built. That was out of the question. That could not be done without creating a separate corporation, composed of members from both the Harbor Commissions. He had, however, told the acting Chairman that the Montreal Harbor Commissioners would be consulted as to the location of the dock, and the adoption of plans, and the tolls to be imposed upon vessels using the dock would be imposed with their knowledge and concurrence. He believed the acting Chairman was quite satisfied with that statement. With regard to the remarks of the hon. member for Chateauguay, the intention of the Bill was that the public should not be burdened with any payment on account of this dock. That being the case they had to consider what the probable income of the dock would be; and it was quite evident that the use of the dock would not produce $25,000 per annum in addition to the ordinary cost of its maintenance. The Quebec and Montreal Harbor Commissions agreed to pay out of the general revenues $5,000 each annually, and it was expected that the revenue of the dock would produce the other $15,000. He was not quite sure it would produce that amount, but for the purpose of this Act it was assumed that it would do so. It was intended, therefore, by this Act simply to impose dues upon vessels that would derive a direct benefit from the use of the Graving Dock. He was willing that the clause should be modified, so as to make that point plain.

The modification in the fourth clause in the direction indicated having been made, the various clauses of the Bill were adopted, and the Committee rose and reported the Bill, which was read the third time and passed.

CAPE RACE LIGHT HOUSE.

Bill to repeal an Act of the Legislature of Prince Edward Island for the collection of the Cape Race Light House tolls, was read a second time.

BILLS DISCHARGED.

The following Bills were discharged:—

Act respecting certificates to Masters of Inland and Coasting Ships.

To amend the Act respecting certificates to masters and mates of ships.

SHIPPING OF SEAMEN.

The House went into Committee of the Whole on Bill respecting the Shipping of Seamen in the inland waters of Canada—Mr. ARCHIBALD in the chair.

Hon. Mr. HOLTON said as he understood the Bill it was to subject mariners employed on vessels on inland waters to all the provisions now applicable to seamen on ocean-going ships. He did not desire to raise any objections to the Bill, but he doubted whether it would be adapted to the habits of our people engaged on vessels on the inland waters of Canada.

Mr. NORRIS said some amendments would be necessary, but he thought the trade of the country required this Bill.

Hon. Mr. SMITH said the Bill did not include all the provisions applicable to sea-going ships, but merely those suited to the inland waters.

Hon. Mr. SMITH said the Bill applied to bargemen as well as to mariners, and it would result in practical inconvenience. He suggested that the second clause should be amended by excepting bargemen from its provisions.

Hon. Mr. SMITH said he saw the force of this suggestion and he accordingly moved to amend the second clause by adding the following words:—"This Act shall not apply to barges and scows navigating canals and rivers."

The amendment was adopted.

Hon. Mr. SMITH also amended the Bill to provide that it shall not come in force until Jan. 1st, 1876.

The Bill was reported—read a third time and passed.

RAILWAY FROM ESQUIMALT TO NANAIMO.

Hon. Mr. MACKENZIE moved the second reading of the Bill to provide for the construction of a line of railway from Esquimalt to Nanaimo in British Columbia.

Hon. Mr. TUPPER asked if the Government propose to insert in the Bill a provision, that no contract shall be made without the approval of Parliament.

Hon. Mr, MACKENZIE—No.

Hon. Mr. TUPPER said a Bill had passed through committee and would be reported to the House providing for the incorporation of a private company to construct a line between the two points specified in the Government Bill, but the object of obtaining that Act by the company was thought by the hon. First Minister to be that of being made contractors. The necessity of having all contracts laid before Parliament was therefore more pressing. It was important that no obstructions should be placed in the way of the construction of the road from the waters of the Pacific at either Bute Inlet or Burret Inlet to Red River. The Government Bill provided for the railway when built becoming the property of the contractors in the same way as the Georgian Bay Branch would become the property of the contractor, Mr. FOSTER. The answer of the Government, no doubt, would be that to carry out his proposal would involve one year's delay; but, at all events, the House would be glad to hear whether the Government had any idea as to the probable contractors. Those inquiries would, of course, have been unnecessary, if the Government were to be the contracts for the railway between Esquimault and Nanaimo.

Hon. Mr. MACKENZIE said the Bill as prepared did not require that the contracts should be submitted to Parliament, especially as Mr. SMITH the chief engineer on the Pacific side, thought he would be ready by midsummer for contracts. The Government must either let the contracts without their being submitted to Parliament or put off the work for a year. Rightly or wrongly they had agreed with British Columbia to commence the construction of this road immediately, and this Bill was introduced in accordance with that arrangement. As to the statement that Esquimault was by this Bill constituted the terminus of the Pacific Railway, it was incorrect.

Mr. IRVING said he hoped this Bill would not be taken as a precedent to justify a departure from what was understood to be a part of the general policy of the Government, namely, to submit every contract for large works for the sanction of Parliament.

Hon. Mr. MACKENZIE that is not the general policy of the Government. We let out contracts last year on the canals to the amount of several millions and the law did not require them to be submitted to Parliament.

Mr. IRVING said the law did not require it, but it was understood to be a part of the present Government when they criticised the late Government for not following it in connection with the Pacific Railway. He was not speaking of the way contracts might be carried out under the present law, but under new legislation. He belived the country expected that the ratification of Parliament would be obtained to all contracts for important works just as such contracts were submitted to the Imperial Parliament.

Hon. Mr. MACKENZIE said the hon. gentleman was mistaken. It was not the custom to submit contracts of this kind to the Imperial Parliament, but only those of a certain class—chiefly those with Mail Steamship Companies who received subsidies. He had insisted upon that policy only in regard to the Pacific Railway. He had no objection, whatever, to that policy being adopted wherever it could be conveniently adopted; but, for instance, contracts would be im-

mediately let for the enlargement of the Welland and Lachine Canals, and it would be impossible, without delaying the execution of these works, to submit those contracts to Parliament. The rule could not very well be applied to ordinary contracts. The contracts for the Pacific Railway were not ordinary contracts, because they provided for the road becoming, ultimately, the property of the company. On the other hand, the works on the canals were for the country, and the contracts were given to the lowest tender, when sufficient security could be obtained, and there was not, therefore, the same opportunity for intrigue with contractors, The contracts now being let for the grading of certain portions of the Pacific Railway were merely for the preliminary part of the work, and whatever was done would be taken by the ultimate contractors as part payment. He was not sure, therefore, that the consent of Parliament would be required to these contracts, because they were merely for the preliminary part of the work and the same principle was not involved as in the larger contract, where the parties were to accept certain quantities of land upon certain conditions, obtain a guarantee for a certain amount, and to have the road become their property upon certain conditions. If they attempted to carry out the principle that all contracts should be submitted to Parliament, there would be most serious difficulties with regard to many of our public works; and he had never advocated that principle, because he knew it would be quite impracticable.

Mr. CURRIER said, in the first place, he hoped the Government would not find it their duty to construct this railway at all: and, in the next place, he hoped if they did go on with the work, they would not let the contracts without first submitting them to Parliament.

Mr. PLUMB said he was surprised at the statement of the First Minister that he had not, when in opposition, advocated the policy of submitting all important contracts to Parliament. He believed statements directly contrary to that had been made throughout the country, and the late Government had been condemned for not adopting that policy. Not many years ago, the Local Government was attacked and condemned chiefly on that very ground. It seemed to him that gentlemen opposite took a ver different view of this matter from th a which they held when in opposition, The country would be very much surprised at the declaration of the First Minister. Certainly, if any contracts should be submitted to Parliament those for the construction of this work should be.

Mr. IRVING wished to say one word of an explanation. He did not mean to reflect upon the propriety of any contracts that had been given out, nor to express any doubt that what was fair would be done. That was not the point. The point was that the country had been led to expect that such contracts would be submitted to Parliament. If the question of expediency or delay was permitted to prevail in any particular case, it would apply in every case. All large contracts, he held, should be submitted to Parliament.

Hon. Mr. MACKENZIE said he was quite sure he had never led the country or any one to expect that all important contracts would be laid upon the table of the House. He never said a word that could imply such a course because he knew it would be utterly impracticable. But there was a particular class of contracts which should be submitted to Parliament and which should be specified in the Bill authorizing such contracts—such as contracts for the Pacific Railway and with the Montreal Ocean Steamship Company. Such was not the case in the Act authorizing the construction of the Intercolonial Railway, and many other public works. Take for instance the Examining Warehouse at Montreal, an important work, costing two or three hundred thousand dollars. Any one could see that vexatious delays would arise if the contract for a work of that kind could not be let till Parliament assembled. He was quite certain the hon. gentleman was mistaken if he supposed that he (Mr. MACKENZIE) ever led the country to expect he would pursue such a policy. It would be utterly impossible to do so.

Mr. WHITE said one of the most formidable difficulties he had to contend against in his canvass was the charge that the late Government had given out the contract for the Pacific Railway without the consent of Parliament and the assertion that the then Opposition were opposed to such a policy. Mr. RATHBURN, a large mill-owner, and a very influential man in

his county, though a Conservative, opposed him on the ground that the present Government had by their public utterances led him and the country to believe that it was their policy to submit all large contracts to Parliament for its approval or disapproval. He had told that gentleman that it was impossible for the Government to submit all such contracts to Parliament; and he was glad to find that that statement was now admitted to be correct by the First Minister himself. The railway which the Bill now before the House was to authorize was a part of the Pacific Railway scheme.

Hon. Mr. MACKENZIE—No.

Mr. WHITE—It is a part of the arrangement entered into by the Government with British Columbia and would involve the expenditure of several millions, and it was a work which the Government should never have undertaken to perform. If we were true to ourselves we would build no branch lines; we would build the main line and let the Provinces, specially interested in them, build the branch lines. It was one thing to be in opposition and quite another thing to be members of a Government; and the people were beginning to see the insincerity of hon. gentlemen who, when in opposition, preached economy which they ailed to practise when in power, and who laid down very stringent rules respecting the submission of contracts to Parliament which they found it utterly impossible to carry out when they came into office.

Hon. Mr. TUPPER said he agreed with the statement that the country had certainly been led to expect that one of the great points of difference between the policy of the present Government and that of the past, was that all contracts for works of an important nature should be submitted to Parliament.

Hon. Mr. MACKENZIE—When did I say that?

Hon. Mr. TUPPER—I did not say that you said so. The hon. gentleman has stated that he did not say so, and he (Mr. TUPPER) was prepared to accept the statement because he was not in a position to controvert it. However, he believed that the country had received the impression which had been indicated by several gentlemen who had spoken. He wished to draw the attention of the House to a very curious exception which the First Minister had made. The hon. gentleman had stated that it was specially with reference to the Canada Pacific Railway contract that he had held that it should be submitted to Parliament; but that with reference to other large public works such as the Intercolonial Railway, and the canals, he had not said the contracts should be laid upon the table. If there was a contract which did not require to be laid on the table of the House it was the Canada Pacific Railway contract of the late Government because Parliament had deliberately fixed the quantity of land and the amount of money which should be given to the contractors as well as the terms and conditions, all of which were rigidly adhered to in the contract with a single exception, with reference to lands other than those along the line—an exception which the present Government had found it necessary keep *verbatim et literatim*. With reference to that point, and that point only, the contract required the approval of Parliament. The Intercolonial Railway was in quite a different position. In that case the contracts were to do a certain public work for the Government, and none of the terms and conditions thereof were fixed by Parliament beforehand Therefore there was strong reason why such contracts as that of Mr. FOSTER should have the approval of Parliament; which did not exist in the case of the Canada Pacific Railway contract. Apart from that, however, there was another very important reason why Mr. FOSTER's contract and the contract for the work now before the House should be submitted to Parliament. He believed that at this moment the eastern portion of what would be the connection between the Railway System of Canada and the Canada Pacific Railway proper was in the hands of Americans. It was an American contractor whose tender was accepted by the Government—Mr. MUNSON, of Boston. The 120 miles from Douglas up to Renfrew he held to be a part of the Georgian Bay Branch, and he believed the capital would all be negotiated for by the same parties, and those parties were Americans. He believed that the money deposited with the Government came from the United States, and that the security was also American. He was stating what he solemnly believed when he said that at this moment the eastern link of the Canada Pacific Railway was in the hands of

Americans. He would say further that under this Bill he had not the slightest doubt that the contract for the construction of the road from Esquimault—the Pacific terminus of the Canadian Pacific Railway—to Nanaimo, for which this country would have to pay between three and four millions at the very least—would also pass into the hands of the Americans. What was to prevent it? There was a Bill before the House for the incorporation of a British Columbia Company, but no person would imagine that the capital necessary to build that road could be found in British Columbia. He belived that the capital would come from the United States, and that under these two contracts we would have the intervening portion of the great national highway of Canada hemmed in by American contractors and American capitalists who would own both ends of the line. These railways would not become the property of the Government like the Intercolonial Railway or the canals, but under these contracts the work itself would become the property of the contractors. He understood the hon. Minister of Public Works to say that although the Pacific Railway Act did not oblige him to lay Mr. FOSTER'S contract upon the table, he intended to take that course for the purpose of obtaining the sanction of Parliament. He (Mr. TUPPER) had put a motion upon the table which the House was not likely to reach owing to the near approach of the end of the session. He hoped that if he (Mr. TUPPER) would not be able to reach that motion, the House would have an opportunity of passing an opinion upon that contract, though he must say that after the opinion expressed by the First Minister he had very little expectation that the House would be allowed that opportunity. He repeated that he believed that the two ends of the Canada Pacific Railway would pass into the hands of foreign capitalists and those men who have the deepest possible interest in preventing the construction of the Canada Pacific Railway for the next fifty years because they have money invested in a railway that is likely to be unproductive if a railway through Canada is constructed.

Hon Mr. MACKENZIE—I do not intend to follow the hon. gentleman for more than one moment. I will just refer to the insinuation that the Government is under some unseen influence of citizens of the United States. I do not use the term American citizens, because I claim we are as much Americans as they are. The insinuation is not new. The organs of the hon. gentleman's party have been singing that song for the last year and a-half. They have on every conceivable occasion brought up a statement to that effect, and the hon. gentleman's statement to-night is only a repetition of what he said the other night and on other occasions. I tell the hon. gentleman I have no knowledge of any influence whatever from the other side of the line being so exercised. I have no knowledge of any connection of Mr. FOSTER with United States citizens of any kind, good, bad or indifferent. I never was spoken to, never was approached, nor do I know any one that was spoken to or approached by any one from the United States in reference to railway matters in Canada, and I claim that the hon. gentleman must produce proof and his organs must produce proof in support of the insinuations in which they continually indulge regarding the motives and objects the Government have in view. I challenge the hon. gentleman and the whole country to produce a particle of evidence in support of those insinuations. I do not deem it consistent with my own honor or dignity to say any more than that I invite the hon. gentleman and all who have anything to say in the matter at once to proceed with the production of some evidence to justify these repeated insinuations.

Hon. Mr. TUPPER—I think the hon. gentleman is very wrong to answer such arguments as I have advanced to the House, in such a manner. I am prepared to produce proof satisfactory to my own mind and I believe satisfactory to every member in this House, that there is great reason to fear that American influence is being exercised in this matter. We undertook to construct a Canadian Pacific Railway in this country and American capitalists connected with the Northern Pacific Railroad exhibited an intense desire to get control of that work. They approached the late Government and approached it in vain. They went to Sir HUGH ALLAN and went to him with success. Sir HUGH ALLAN made arrangements with the promoters of the Northern Pacific Railway

by which they were to furnish all the capital, I believe, that was required for the construction of the Canadian Pacific Railroad. If that is not evidence to the House of the existence of parties in the United States who felt a deep interest in obtaining control of our Canadian Pacific Railway, then I do not know what would be held to be a deep interest. Sir HUGH ALLAN and Mr. FOSTER were associated with these gentlemen, and Mr. FOSTER who was a strong supporter of the late Administration, abandoned his support of them and joined with JAY COOKE & Co. in bringing about the downfall of the late Government because we shut the door in their faces, and because we said the Canadian Pacific Railroad should not fall into their hands. I ask the hon. gentleman if he supposes that anybody in this House or outside of it can be blamed—I put it in no stronger terms—for indulging a fear that those same interests which were so active and accomplished so much in relation to this work show the same anxiety now. It is known that the Northern Pacific Railway Company have built a line of railway from Duluth to the waters of Red River, and have extended their connection down in the direction of the Dominion. It is known that these people are deeply anxious to make that road profitable. They would not be keen and enterprising capitalists as they are if they were not anxious. It is well known they are projecting carrying a railroad from the Missouri to the Pacific, and hence their deep anxiety and great interest in obtaining such a position as will enable the parties, who have sunk their money in constructing the Northern Pacific Railway, to obtain a dividend from their railway. We find Mr. FOSTER, who abandoned the late Government because we would not entertain the proposal of himself and of his American associates, getting an assignment of this contract for the construction of the Georgian Bay Branch from a Mr. MUNSON, of Boston, whose tender it appears that Government accepted. I say accepted; because unless they accepted his tender, how was he in a position to assign his contract to Mr. FOSTER. The papers laid by the Government before this House definitely showed that the Americans obtained the contract and that Mr. FOSTER, who is associated with the Northern Pacific Railway, obtained an assignment of it, and I say, therefore, there is reason for fear. I do not mean to say it is evidence, such as is required in a Court of Law, to establish a case; but we are not dealing with a Court of Law, but with the Parliament of Canada and the intelligent public sentiment of this country, and I say it is time the people of Canada looked into it. As the hon. gentleman has challenged me in such a manner I give the grounds on which my fear is based. When I find the Government proposing to build a branch of the railroad instead of carrying on a great highway through British territory, and diverging from the route to the Georgian Bay, expending millions of the people's money, not in building the Pacific Railway, but in constructing lines which are no part of it, and which will actually compel us to use the Northern Pacific Railway—when I say after throwing away our money in that way it increased my fear that the same parties who exercised their influence in the most potent form to endanger the Canadian Pacific Railway before, are exercising it now. It is a most vital point to us to know where the capital, to build this road on Vancouver Island, is to come from. There are peculiar circumstances attending this contract. It comes before us involving an unknown sum to be given to unknown parties. I am not going to endorse what is said by other persons, but I do repeat what I have said here, and I give grounds which I think are sufficient to excite apprehension in the minds of the people—that American influence has something to do with the construction of this railroad.

Hon. Mr. MACKENZIE—The hon. gentleman thinks that his fears justify him in disputing my words.

Hon. Mr. TUPPER said he would be very sorry to question the words of the hon. gentleman. He had not put it on that ground. He accepted the hon. gentleman's words to the fullest extent. All that he (Mr. TUPPER) said was that there were grounds for apprehension that the Northern Railway interest would obtain the contract on Vancouver Island as he feared they had already got the Georgian Bay section.

It being six o'clock, the SPEAKER left the chair.

AFTER RECESS,

Mr. BLAKE said he did not understand the Bill to be presented to the House in pursuance of a policy on the part of the Dominion Government to construct a railway from Esquimault to Nanaimo if their hands were free ; but he understood it to be brought down in order to give effect to an engagement which had been made with British Columbia, through the medium of the Colonial Secretary, with respect to certain terms of relaxation of the original bargain agreed upon at the time of union with that Province, and one of those terms of engagement, which the House was asked by passing this Bill implicitly to ratify, was, that there shall be constructed immediately or forthwith a railway from Esquimault to Nanaimo. His hon. friend the First Minister had explained that it was because that was the term of the engagement with British Columbia that he asked authority to enter into the contracts for the construction of that railway, and to proceed upon those contracts without obtaining the assent of Parliament thereto, or rather without giving Parliament an opportunity of disapproving of the contracts. Those who were prepared to assent to and to implement those engagements could hardly consistently object to that proposal, simply because it was essential to the complete fulfilment of the engagement. If they were to wait till next session of Parliament before work was commenced, that meant to wait, of course, a whole year, till the next season for work, and that would not be fulfilling either the spirit or the letter of the engagement. He did not understand the hon. First Minister to attempt to justify the proposal he had made to Parliament upon any other ground than that the Government made an engagement to commence work immediately, and in pursuance of that agreement he asked the House to give authority which, whatever might be the general principle which ought to govern the making of such contracts, and whatever might be the principle to which the party of which the hon. First Minister was the head was committed on that subject, it was clear that no ordinary circumstance could apply to this case. Parliament was asked by the present Government last session to give power for the construction of the Pacific Railway itself, and the Act passed contained provisions with respect to the contracts for the work especially declaring that no contracts for the construction of any portion of the line should be binding until they were laid before Parliament for one month, or a shorter time if they were approved by resolution. The same Act contained a provision as to certain portions of the line which were to be exempted from that provision, and with respect to the branches the assent of Parliament was not stipulated to be obtained. His hon. friend the First Minister justified—and he received the unanimous assent of the House to his justification—his departure from the general principle and from the application of the general principle in the Act of the Government upon the ground of public necessity, upon the ground that it was expected and believed that arrangements could be made for the prosecution of the work of constructing those branches during the season, and that the public interest required they should be prosecuted during that season. And, therefore, he asked Parliament so far to depart from the general principle he had asserted and maintained with respect to the main line, and that the House assented to. His hon. friend the First Minister acted in the spirit of the main provisions of the Act, and as regarded the Georgian Bay branch he did not avail himself of the power thus conferred on the Government, but provided that the contract for the construction of the road should be liable to the same conditions as contracts for the main line, and be laid on the table of the House during one month, and it did lay on the table nearly that period. Therefore the only question the House had to consider with respect to this point of the Bill was, whether the justification for departing from the recognized rule, as established and embodied in the statute book, was sufficient. The whole policy of this measure depended upon the engagement made with British Columbia, and if the House was prepared to implement that engagement in its entirety, it must be prepared to give the exceptional authority asked by the Government. As he understood the general principle with reference to the expenditure of public money which had been advocated by hon. gentlemen who sat near him, it was that the House ought as far as possible to retain and maintain the control of Parliament over the expenditure of the public funds. That was the

general principle, and it had been asserted by them at all times and in all seasons whether they sat on the Opposition or on the Government side of the House. They always admitted, however, that there might be cases in which the executive might be called on to ask Parliament to give it a greater measure of confidence and of control than the assertion of that general principle would involve, and that was to be considered in each case. He understood it to be clear that all cases of contracts by which Parliament might be pledged, if they were implemented, to expend more money than had been actually voted for the service must contain a provision that the money was to be applied or to be paid out of monies to be voted by Parliament, and would contain a provision that the contract was not binding unless it was laid on the table of the House. Whenever the House voted a sum of half a million or a million dollars for the construction of a public work, whenever it had been provided with the information which was necessary in order to enable it to reach a conclusion as to the exigency of constructing the work, and was also provided with details as to the cost of the work, the work was expected to be completed before next session, a whole vote was taken on it. The House had then before it the whole subject, and knew the maximum amount to which it was committed. The money so actually voted the Government was empowered to expend during recess under contracts. That when the expenditure required was more than Parliament had voted, then it appeared to be the rule that no attempt should be made to pledge the House for the expenditure of the larger sum under contracts unless they were first approved by Parliament. It was said by Mr. TODD in his work on Parliamentary Government :—

"An important question has arisen of late years with regard to contracts, to be entered into between any department of the Executive Government and other parties, for the performance of any work or service which has been authorized by Parliament to be undertaken, It is manifest that the responsibility of entering into such contracts properly rests upon the Executive alone. But it is equally clear that the Government have no constitutional authority to make a contract which shall be binding on the House of Commons, by whom the necessary funds for carrying on the contract must be supplied ; and that if any contract be entered into by any executive department for work to be performed, the cost of which will exceed the amount already voted by Parliament for the service to be contracted for, such contract should expressly state that payments on behalf of the same would be made 'out of moneys to be voted by Parliament'; and, in addition thereto, a copy of said contract should be laid upon the table of the House of Commons for one month previous to its going into operation, in order to afford an opportunity to the House to express its disapproval thereof, if it should think fit to do so."

That appeared so be the general rule laid down, and it was a wholesome rule, one which he desired to see observed in all cases in which it was consistent with the public interest that it should be observed. Therefore he was not disposed in the slightest degree to complain that this, which in some respects of the case might be regarded as a mere detail of the Bill and capable of being remedied as no doubt it would be at a subsequent stage, should be dealt with upon the second reading. He was not disposed to complain for two reasons. First, because he conceived that one of the great errors into which the House fell was the absence of repeated discussions on questions, and it was important if objections were objections of detail they should be taken at one stage and subsequently discussed at another stage. Second, because on the principle on which the Government asked the House to assent to that measure, this detail was a part of the principle. They said to hon. members that it was true in the Bill itself, but in the ground work of the measure, "we have entered into an engagement with British Columbia by which we pledge ourselves to forthwith commence the work. We ask you for authority to provide for the engagement, and in order to make that provision we must make contracts which shall go into operation at once. We cannot expect contractors to proceed with work if the contracts are subject to the disapproval of Parliament after the work had been entered upon, and on this special ground we ask you to make an exception from the general principle and determine that the contracts

shall be binding without the assent of Parliament." Of course this was a very grave question, and its solution depended on whether the House was determined to implement the engagement with British Columbia in its entirety, or whether it was determined to say, "Although prepared to implement the engagement with British Columbia in substance, we think the question of Parliamentary control is so important that, while we are prepared to make the necessary contracts, we are only prepared to do so subject to the approval of the House of Commons." That was the position, he apprehended, of those who were prepared to implement the engagement. The House was aware he was not of that number, that he had not felt it consistent with his duty to do otherwise than to express disapproval of the engagements made with British Columbia. His opinion had been and his opinion was that those engagements were inconsistent with the policy of Parliament, as declared last session, and were such as conflicted with the recitals of the Canadian Pacific Act of last session. The declared policy of Parliament last session was that the railway should be constructed as rapidly as the resources of the country would permit, without adding thereby to the burdens of taxation on the people. He had never objected, on the contrary, he had always, privately and publicly, advised that the people of British Columbia should be invited to consider the question of a relaxation of the terms of union. He had always been prepared to sustain any proposition to give to British Columbia a consideration, if consideration were required for that relaxation, and if the reasonable relaxation were the construction of a local work, not of Dominion importance, but of importance to the people of that Province, he would be prepared, on obtaining that reasonable relaxation, to allow a reasonable expenditure to be made on a local work, simply on the ground that he believed the engagement made at the time of union was ruinous to the people of Canada, and in order to obtain relief from the terms of that bargain, he was willing to pay a reasonable price. He did not believe that the price proposed to be paid was otherwise than a very considerable one. The construction of sixty-five miles of railway was a local work which would involve an expenditure of two or two and a half millions of dollars, which was certainly a large price to pay for a relaxation of terms. It was a local work which, it might be assumed, was important to the locality, since it was what the locality asked, but a local work which was not likely to yield a large amount of profit, even as a local work. The line from Esquimault to Nanaimo was supposed te be important because it would serve to convey large quantities of coal from valuable coal beds lying along that line, but, as he understood it, there were also numerous harbours along the route, where vessels might have easy access to those coal beds, and he believed a large portion of the coal would be shipped by sea and not by rail. Nor did the large agricultural resources of that portion of Vancouver's Island lead him to believe that there would be any extensive development of other industries besides coal mining. He would not enter into those details, because they were points to be settled by the people of the locality who had obtained the road as a consideration for relaxing the terms of union.

Mr. DE COSMOS asked what grounds the hon. gentleman had for saying this road was a compensation given to British Columbia for consenting to relax the terms of union.

Hon. Mr. BLAKE said this House was asked to vote it as the price. If it were to be a part of the Pacific Railway itself this Bill was unnecessary, because there was authority to construct the Pacific Railroad. This Bill itself would be an authoritative statement on the part of Parliament, if it passed, that this line was something beyond the Pacific Railway unless the hon. member for Victoria regarded it as a free gift. Although the hon. gentleman had an exalted idea of the generosity of the Parliament of Canada, he would hardly say that it was a free gift, and if it was not, then it must be the price of something obtained. Under the circumstances in which the country stood it was a question whether it wise to agree to expend $2,000,000 annually in British Columbia, and to agree to a time limit for building the main line of the Pacific Railroad when the Georgian Bay branch and the Vancouver Island branch were to be put under construction. It was a question whether this Parliament was not running a risk in assenting to those terms, and

breaking up the policy which was laid down last session that the burden of this country should not be further increased in constructing this railroad. In assenting to this Bill the House was practically endorsing those terms and because he was not prepared to endorse those terms he was not prepared to assent to this Bill.

Mr. MASSON said one of the terms on which British Columbia entered the Dominion was the construction of a railway from the Pacific to the Atlantic. That was severe enough to Canada, but the completion of the Confederation was a consideration sufficient to induce us to make the sacrifice. The hon. gentlemen opposite at that time objected to the terms because they were too severe to Canada. And what did those same gentlemen ask this House to do at this day? They proposed to build the Pacific Railroad, and also railways in British Columbia and Ontario which were not parts of it. Whether the road from Esquimault to Nanaimo was the price relaxing the terms of the union or not, it was a boon to British Columbia.

Mr. DE COSMOS no, no!

Mr. MASSON — Well that was the impression of those who paid for it. He (Mr. MASSON) held that the Government should submit it to the people's representatives for their approval. That was the opinion he had always held. This country was willing to build the Pacific Railway, but not to expend $11,000,000 as was proposed on lines which are no part of it. He did not think the country would approve of the policy of the Government when it had time to reflect on it. The Thunder Bay Branch was no part of the Pacific Railway, and he held that all the contracts involving the expenditure of money on the Georgian Bay Branch, Thunder Bay Branch, and the Esquimault and Nanaimo road, should be submitted to this House for their approval.

Hon. Mr. MACKENZIE — Hear, hear!

Mr. MASSON supposing the Premier had in view the policy of the late Government; well, the House would remember that when the late Government introduced the Pacific Railway Bill they stated exactly the amount of money and land that would be required for its construction. At that time he held that the contracts for building the road should be submitted to Parliament. He held the same view in 1868 when the House was asked to expend money on fortifications. The hon. member for Chateauguay and the hon. Premier, on that occasion, moved an amendment declaring that, whenever a contract was entered into by the Government involving the expenditure of a greater amount than the actual grant for such contract, it should be binding until it had run for at least one month on the table of the House of Commons without disapproval, or was formally approved of within that period. Now, that was sound English constitutional policy, and he voted with Messrs. HOLTON and MACKENZIE on that occasion, and against the Government of which he was a supporter. Hon. gentlemen opposite might contend that this was an agreement with British Columbia and that there was a necessity for hurry. Well, was not the Fortifications question in 1868 an agreement with the Imperial Government, by which they were required to vote a certain sum of money for the construction of fortifications? Notwithstanding that fact, Parliament affirmed the sound English constitutional principle that contracts involving an expenditure of money should be submitted for the approval of the people's representatives. He (Mr. MASSON) had looked for more consistency from hon. gentlemen opposite, but was disappointed; and this was not the only disappointment he had experienced since this session began. For instance, he (Mr. MASSON) had opposed the late Government policy towards the Northern Railway, acting with the then Opposition; nevertheless, hon. gentlemen opposite, on coming into power, adopted that very policy—showing that they must be under the impression that they were wrong before. Their policy with regard to the Supreme Court Bill was the same. They opposed it when in opposition—they adopted it after coming into power. But there was this difference between the present Government and the late one. Out of consideration for Quebec the hon. member for Kingston did not press the Supreme Court Bill. But it seemed Quebec was no longer strong enough to prevent its becoming law. With regard to the Bill before the House he contended that it was not an agreement with the people of British Columbia and there was no hurry in pressing

it. If it was an agreement with the people of British Columbia the Government had no right to make it without inserting a clause as had always been done before in such agreements, declaring that it should not be binding on the people of Canada unless approved of by their representatives.

Mr. DECOSMOS said this Bill included the same principle as that of the Pacific Railway Act passed last session, namely, that the Government might either construct the road by private enterprise or as a Government work. He was one of those who held that all the railroads within the Dominion should be constructed, owned and operated by the Government, because the people had to provide the funds by one means or another. It would do away with the large corruption funds for influencing Local Legislatures, Municipalities and Dominion Parliaments. The Government by adopting this principle were running counter to the experience of the people of the United States, who had found that railroad corporations were springs of corruption. If the Government consented to the construction of the Vancover Island section by private enterprise, they could not prevent the use of Asiatic labor. The company would employ Chinese, who would move through the land like locusts, and when the road was completed would leave the country If the Government, in the interests of the Dominion at large, would undertake the construction of the road themselves, they would employ white men, who would be likely to settle in the Province after the road was built. He objected to section six of this Bill because no time was fixed for the completion of the road. Supposing a company should get the contract for constructing, owning and operating this road at $10,000 per mile, and a subsidy of 20,000 acres per mile, and a guarantee of interest on their expenditure for a certain number of years, they would sell their bonds at 60 or 70, and instead of the road being built for $30,000 per mile, it would be found in the end that it would cost, through the manipulations of the country and through water and stock, $50,000 or $60,000 per mile. There was another point to which he wished to draw the attention of the First Minister, because it appeared to have been overlooked by him. Section ten stated that there should be twenty miles of land granted on each side of this road. That was a physical impossibility, because the line from Esquimault to Nainimo would have to pass within sight of the shore almost the whole distance. The expression therefore in section ten was nothing better than nonsense. So far as the land was concerned, he believed the Government of British Columbia would be perfectly willing to grant forty miles of land; but he had his doubts as to their taking the view of the First Minister and the member for South Bruce, that this line was not a part of the Pacific Railway. If it was not a part then the Government had no right to ask for the same portion of land along the line as in the North-West Territory. Probably the member for South Bruce, who had acted the part of special pleader in this matter, would explain how, if the Government accepted the award of Lord CARNARVON, they had the audacity to come down and ask for twenty miles of land on each side of this line, if it was true that this line was to be built as a compensation to British Columbia. But the hon. member for South Bruce had evidently dictated to the Government the policy they should pursue in this matter, and having done so he was bound to rule them in this as in other matters. The member for South Bruce had spoken of British Columbia getting a large consideration for relaxation of the terms. On a former occasion he had challenged the hon. gentleman to show a single word in the correspondence of British Columbia, or in the utterances of Lord CARNARVON that would indicate that this road was to be built as an act of compensation to British Columbia on account of the non-fulfilment of the terms of Union. He repeated that challenge now, because he did not wish the people of Canada to be deceived by an erroneous statement that could not be supported by evidence. However, in this matter, like the commander of a powerful force, believed they could demand a surrender. For his part, he was not prepared to offer any factious opposition to the carrying out of the award of Lord CARNARVON, but he would continue to denounce what he regarded as an erroneous statement calculated to create a misconception of the real state of things between the Province of British Columbia and the Dominion.

The member for Terrebonne also took the view that this road was not a part of the Pacific Railway, but that hon. gentleman looked at the matter from a party standpoint, and he could easily understand his position. On that point he would remind the House that in 1872 the Government of that day decided unequivocally that the road should continue to Esquimault, and that the continuation should be considered a part and parcel of the Canadian Pacific Railway. That was proved by the report of the Chief Engineer, on which the Order in Council was based of the 7th June, 1873. They did more than that. They ordered their Engineer to commence the survey and to break ground. Moreover, taking the whole line from Mattawan to the Pacific it was necessary to take a reasonable view as to the course the road should take, and on reaching the Pacific coast it would be the height of folly to say that the road shall end on the top of a mountain simply because it was the Pacific coast—that it should end in other words at a harbour where there was no anchorage and which was not approachable. The true meaning of the Act was that the Canadian Pacific Railway should end at such a part on the Pacific as would best promote the shipping and commercial interest of the Dominion, and he would take this occasion to repeat that we had only one port on the Pacific coast where vessels might approach night and day at all seasons and find a safe harbor, and that place was Esquimault. That fact could be established by Admiral RICHARDS, by the British navy, and by all nautical people whether of the National service or of the merchant marine. That being the case, it was special pleading, if not worse, on the part of any gentleman, to say that this country was only bound to build the road to the shores of the Pacific Ocean. It was a reasonable interpretation of the agreement to say that Canada was bound to extend the line to such a point as would enable her to compete successfully with the American railways. Before concluding, he would say that he was glad that the Government had agreed to commence this work, and although it was not to be built as a Dominion public work, yet the people of British Columbia would be glad to see the work going on, not merely in their own interests but in those of the Dominion. He believed that the Premier would best consult the interest of the Province as well as of the Dominion by building not only this road but the whole Pacific Railway as a Dominion public work instead of giving it out in large contracts to great corporations. If he had one objection more than another to make to what had already been done, it was that the Government had agreed to give the building of the Georgian Bay Branch to a company who would receive public money and public lands, and after the road was built would own it. Before sitting down he would again say that he hoped his hon. friend from South Bruce would lay before the House some evidence in support of his statement that this road from Nanaimo to Esquimault was a compensation for the relaxation of the terms of union with British Columbia.

Mr. BUNSTER said it surprised him to hear the comments of some members of the House upon this great national work that was the only thing that could make a nation of us. He denied that the people of British Columbia had ever agreed to a relaxation of the terms of union. When British Columbia entered into Confederation she did so upon the solemn pledge that the Canada Pacific Railway would be built within a certain time. Nevertheless, if the Dominion was not able to build the road within that time, she was not disposed to demand the pound of flesh, but were willing to extend the time. He objected to the disparaging way in which some hon. members had spoken of British Columbia, and claimed that that Province had now nearly 100,000 people within its borders; and if some of them were not white people they were a great deal better than the Chinese, and perhaps he might say that they were better than some people who were so fond of abusing their own country. As to British Columbia granting twenty miles of land on each side of this road he thought that was scarcely fair. He himself knew of one hundred acres on the line of that road being sold lately for $25,000. With the exception of a few merchants and perhaps a few others, he contended that the people of British Columbia were not in favor of accepting the new terms. What they wanted was that the whole terms should be carried out, though they were willing to extend the time in order

that that might be done. They wished to see a great national highway built across this continent so that this country might be in a position to command the traffic of the East as our road would admit of a shorter passage between Europe and Asia, by six days and nine hours, as compared with the American roads. He regretted to see so much politics mixed up with the Canadian Pacific Railway; if there was less there would be fewer obstacles in the way. It was also to be regretted that some hon. gentlemen had seen fit to cast discredit upon British Columbia. If the people of that Province had not been loyal to the old flag they might have had a railway from the United States in return for their allegiance to that country, but they preferred to cast in their lot with the Dominion, and they looked to the Dominion to fulfil its obligations to them. He held that Canada was amply able to build the road, that fifty million acres of land and thirty million dollars would build it; and if there had been less haggling about terms and a sincere determination to prosecute the work with energy it might have been half built by this time, as was evident from the fact that the Americans in the midst of their war built their road over a more difficult territory than ours in three years and a half. If the interior of British Columbia was opened up by railway the people could send their produce to the European markets, as California was doing. He hoped this work would be prosecuted with vigor and that we would soon have a railway across the continent.

Mr. PALMER said this Bill involved questions of very great importance to the Dominion. He took the position that it was unsafe for the Government of this country to make any agreement or adopt any policy which involved the expenditure of large sums of public money without the sanction of Parliament. The hon. member for South Bruce said the reason why the Government should depart from that principle in this case was because they were trammelled by some arrangement made with British Columbia by the former Government, and that to enable Canada to keep faith it was necessary for them to enter into a new agreement. A practical difficulty rose from the fact that under the old agreement the railway had to be built within ten years; whereas under the new engagement entered into by this Government the time is extended to fifteen years. But that late arrangement had never received the sanction of Parliament. If the Government were not authorized to make such an agreement, then its terms could not be binding until they were sanctioned by Parliament, and the Government could not go forward until they were able to do so in a constitutional manner. He was an advocate of the policy of carrying out in its entirety the arrangements made with British Columbia for the construction of the railway in ten years, because that engagement was entered into at the time of union, and he believed if the Government had faithfully prosecuted work, the people of that Province would not have complained if it had not been completed at the end of the period allotted for its completion. It was very desirable that the utmost precautions should be taken to prevent the railway referred to in the Bill falling into the hands of private members; but under the Government proposal the Americans could obtain control of the road by purchasing a majority of the stock. He was in favor of an all rail route through Canadian territory, apart from an arrangement made with British Columbia because we had not only the shortest route by land from the Atlantic to the Pacific, but also the shortest water route. He was entirely opposed to building local lines, but favored the construction of a line from the easterly point to which private enterprise would carry the railroads to the Pacific, but he was entirely opposed to any proposition made in lieu of the original agreement with British Columbia.

Mr. WALLACE said he was intended to the Government policy by which it was contemplated to build a road from Esquimalt to Nanimo under the Bill proposed. If the railway were to be built at all, it ought to be constructed and owned by the Government of the country, inasmuch as our commercial highways ought not to be controlled by private individuals. He was opposed, moreover, to locking up in the hands of stockholders large portions of the public lands of the Dominion. It was true that those companies would act as good emigrant agents up to a certain period, but there would come a time when the interests of the company would be antagonistic to the interests of the country, because land would be held for speculative

purposes, whereas it was to the interest of Canada that land should be occupied and settled. It had always been contended by the hon. gentlemen now sitting on the Treasury Benches that it was contrary to correct principles to give out contracts for building railways until the necessary surveys had been completed. This was one of the charges brought against the late Government—that they had entered into contracts for the building of the Pacific Railway without knowing where the railway was going to run, or what it would cost. But the hon. members themselves were now violating the principle for which they had contended when in opposition, because both in the case of the railway provided for by the Bill, and also in that of the Georgian Bay Branch, there had been no proper surveys carried out. In the latter case one or two surveyors had walked over the line, but they could not tell within several miles where the road would be located. He was an advocate for constructing the Pacific Railway from ocean to ocean, as a work in the interest of the country; but he was entirely opposed to it if it was to be built, owned and controlled by a company, because that was locking up lands of sufficient magnitude to comprise kingdoms. Already, fault was found on the ground that the Canada Central Company would exercise a land monopoly, but that would be as nothing compared with the monopoly that would be created in the Pacific Railway Company. He moved in amendment, seconded by Mr. STEVENSON—"That this Bill be not now read a second time, but that it be read a second time this day three months."

The amendment was negatived on the following division:—

YEAS:

Messieurs

Archibald,
Baby,
Bain,
Bernier,
Blake,
Bowell,
Caron,
Cimon,
Cook,
Costigan,
Coupal,
Cunningham,
Currier,
Cuthbert,
Dewdney,
Dugas,
Farrow,
Ferguson,
Flesher,
Fraser,
Gaudet,
Gill,
Gordon,
Hagar,
Haggart,
Harwood,
Higginbotham,
Jones (*Leeds*),
Kirkpatrick,
Lanthier,
Little,
McDonald (*Cape Breton*),
McDougall (*Three Rivers*)
McKay (*Colchester*),
Macmillan,
McCallum,
McCraney,
McQuade,
Masson,
Mills,
Monteith,
Montplaisir,
Moss,
Mousseau,
Norris,
Orton,
Ouimet,
Palmer,
Pickard,
Pinsonneault,
Platt,
Plumb,
Pope,
Pozer,
Robitaille,
Rouleau,
Rymal,
Scatcherd,
Stephenson,
Thompson (*Haldimand*)
Wallace (*Norfolk*),
White,—62.

NAYS:

Messieurs

Appleby,
Aylmer,
Barthe,
Béchard,
Biggar,
Blackburn,
Blain,
Borron,
Bourassa,
Bowman,
Brown,
Buell,
Bunster,
Burpee (*St. John*),
Cartwright,
Casey,
Casgrain,
Cauchon,
Cheval,
Church,
Cockburn,
Cushing,
Davies,
DeCosmos,
Delorme,
De St. Georges,
DeVeber,
Dymond,
Ferris,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Fréchette,
Galbraith,
Geoffrion,
Gibson,
Gillies,
Gillmor,
Holton,
Horton,
Huntington,
Irving,
Jetté,
Jodoin,
Kerr,
Killam,
Kirk,
Lafamme,
Laird,
Lajoie,
Landerkin,
Langlois,
Laurier,
MacDonald (*Cornwall*),
Macdonald (*Glengarry*),
Macdonald (*Kingston*),
MacDonnell (*Inverness*)
Macdougall (*Elgin*),
MacKay (*Cape Breton*),
Mackenzie (*Lambton*),
Maclennan,
McIntyre,
McIsaac,
McLeod,
Metcalfe,
Murray,
Oliver,
Paterson,
Pelletier,
Perry,
Pettes,
Pouliot,
Power,
Richard,
Robillard,
Ross (*Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Scriver,
Shibley,
Sinclair,
Smith (*Peel*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Cariboo*),
Thomson, (*Welland*),
Tremblay,
Trow,
Tupper,
Vail,
Wilkes,
Wood,
Wright (*Ottawa*),
Wright (*Pontiac*),
Young—101.

The House went into Committee of the Whole, Mr. YOUNG in the chair.

Hon. Mr. TUPPER said although this road from Esquimault to Nainimo was outside the obligations entered into by the late Government with British Columbia, he regarded it as an effort made in good faith to arrange for the redemption, as far as possible, of pledges made with British Columbia, and such being the case he felt obliged to give what support he could toward carrying out those arrangements. He was driven to the conclusion that no surveys were made on this line, and that the Government were entirely in the dark at this moment as to the information which on it was absolutely necessary that contracts should be based. The Government would be obliged to supply the means for building this road—means which the hon. member for South Bruce would find he had altogether under-rated. The Bill provides that the parties obtaining the contract should have a subsidy of land of fair average quality, along the line of the Pacific Railway or in some other part of the Dominion where the Government owned public lands. It would be seen at a glance that it was not the intention of the Government to give lands on Vancouver Island, because the Esquimault and Nanaimo Railroad was not a part of the Pacific Railroad.

Hon. Mr. MACKENZIE explained that the Government believing that the lands between Nanaimo and Esquimault were mostly valuable mineral lands, were not willing to give 20,000 acres of them to a contractor. They had therefore, taken power to give lands wherever they pleased along the line of the Pacific Railway or elsewhere. This clause was prepared explicitly to prevent speculators getting hold of most valuable mineral lands under the guise of contractors. With reference to the surveys, there had been a preliminary survey, that is, engineers had gone along the coast to ascertain the general lie of the land and the points at which water could easily be touched. He proposed within a few days to have a trial survey made, which would be completed by midsummer when steps would immediately be taken to put the line under contract.

Hon. Mr. TUPPER said the Government were absolutely bound to construc this line immediately. Every contractor knew that, and also knew it would cost four times as much to do the work in British Columbia than it would in any other part of the Dominion. This being the case the cost of building this line of 65 miles would be enormous and would be much greater if the contracts should be let without the Government being in a position to furnish the contractors with information as to the nature of the country on the route.

Hon. Mr. MACKENZIE — We will be.

Hon. Mr. TUPPER contended that it was impossible in the present state of information in regard to the route, to furnish the necessary information as to the amount of work required to be done and which the contractor must be furnished with in order to get the contract taken at the lowest rate and the least risk.

Hon. Mr. MACKENZIE—If it will be impossible then it will not be let. I pledge myself to the House that until it is definitely known the contract will not be let.

Hon. Mr. TUPPER said the hon. gentleman had passed a Bill through Parliament last session giving the Government the same power they asked for in this Bill, and the Government let the contract without the consent of Parliament and without having a survey of the line. With such facts before the House and with the information that the survey could not be completed before midsummer there was no necessity for taking this power asked for. The engagement with the Imperial Government and British Columbia would be honorably and fairly redeemed to the letter, as well as in the spirit if the Government would provide for letting contracts subject to the approval of Parliament, and for this reason, the very moment the location of the road was commenced the construction was also begun. It was so in the case of the Intercolonial Railway. The late Government regarded the work of construction as commenced when they proceeded to locate the line. He therefore moved in amendment to the 8th sub-section of the 9th clause that the following words be added :—"Provided always that any such contract shall have the previous approval of Parliament."

Hon. Mr. MACKENZIE said he could assent to nothing that would place the Government in such a position as would enable either British Columbia or the Imperial Government to impugn their good

faith, and the amendment would have that effect, and could only have that effect. It was quite open to Parliament to reject the arrangement made, and those who voted against the second reading of the Bill objected to that arrangement. The second reading having been carried, he asked the House to place the Government in a position to keep good faith with British Columbia and the Imperial Government.

Mr. PLUMB said he did not find such great sensitiveness on the part of the Government in keeping good faith on other occasions. He wished to know the meaning of the clause providing for the payment of four per cent. interest for 25 years on the "remainder of the contract." Would the Minister of Public Works give the House an idea of what the "remainder of the contract" would amount to?

Hon. Mr. MACKENZIE—We will have an idea when the tenders are received.

Hon. Mr. BLAKE said his estimate was purely conjectural. He concluded that $10,000 and 20,000 acres per mile, with a guarantee of four per cent. on $15,000 per mile (which upon the calculation made with reference to the Georgian Bay Branch would amount to $8,000 per mile) would make $38,000 per mile, giving $2,500,000 as the cost of the road. If it would cost a great deal more it would only add to his objection.

Mr. DE COSMOS said before coming here he had crossed to Washington Territory and travelled with General SPRAGGE over 105 miles of the road which terminated at Puget Sound. The General informed him that the cost of that road, which ran through a country similar to that through which the railroad from Esquimault to Nanaimo was to be constructed, did not exceed $44,000 per mile in greenbacks, and they worked under great disadvantage. The line in South Oregon, some 200 miles in length, he was informed, cost only some $18,000 for roadway, rolling stock and stations, but then a large portion of it ran through a prairie country along the banks of rivers. He mentioned these facts to show that railways on the Pacific did not cost so much as was stated by the hon. member for Cumberland. The line could be built for $33,000 per mile. If the survey could be completed by midsummer, there was no reason why the construction of the road should not be commenced this year. If the amendment of the hon. member for Cumberland were adopted the road would not be commenced for a year longer. He (Mr. DE COSMOS) believed it was sufficient for the Government of this country to get Parliamentary sanction for the general policy and then it was the duty of this House to give a liberal and generous support to the Government carrying out that policy.

Sir JOHN MACDONALD said he understood that contractors would be asked to tender for this road. Suppose there should be a combination of contractors and they should say we will not accept less than four per cent. on $100,000 per mile, would the Government refuse to let the contracts?

Hon. Mr. MACKENZIE—Certainly.

Sir JOHN MACDONALD said if the Government should take power to refuse letting the contracts, it could be regarded as a breach of faith. There was no way of getting over it. The hon. Premier contended that if Parliament should refuse it would be a breach of faith, but it would not be a breach of faith if the Government refused. The consequence of the hon. gentleman's statement was this—he was obliged, under the penalty of committing a breach of faith both with the Imperial Government and with British Columbia, to accept the lowest tender, no matter what ground it might cover. The statement that it was a breach of faith was a fallacy. It was quite clear that it could not be a breach of faith to refuse to let a contract which was an improbable one, a collusive one, or an imprudent one for the country to enter into, There could be no reason why Parliament should not have control over the whole of these contracts. It was the hon. gentleman's own principle offered by himself on former occasions.

Hon. Mr. MACKENZIE said the hon. gentleman's words had carried him a little further no doubt, than he had intended to go. If he had read the Bill he would not probably have spoken as he did. The Government took power in the Bill to work the road themselves if they found it more advantageous in the public interest to do so. If they found that such a combination as suggested—which he did not think at all probable—would occur, they had power to proceed with the execution of the work

themselves. That, he apprehended, would be keeping good faith. He knew that the hon. gentleman had made his remarks without looking at that section of the Bill, and if he had done so he would have saved himself a somewhat awkward speech. The hon. gentleman and his late colleague voted for the second reading of the Bill as they were bound to do. The fact was that the extraordinary and imprudent arrangement made by the late Government with British Columbia, was one that he (Mr. MACKENZIE) had opposed as long as it was possible to oppose it. When he assumed the leadership of the Government he had to deal with this subject. He had to allay feelings of discontent and inquietude in that Province, and to do what he could to restore that feeling between the Province and the rest of the Dominion which was essential to the continuation of the Union. Finding themselves in that position, the Government had to make the best arrangement possible under the circumstances. They did their best to economize the public funds, and at the same time to give reasonable satisfaction to those with a home the late Administration had made a special agreement. But supposing that the hon. gentleman's argument was conclusive, which it was not, how would it apply to those who made a bargain to build the entire road in ten years? Supposing such a combination were formed under that bargain, how could faith have been kept? Of course, we know it was never intended to keep faith, because that was impossible, and every member of the then Administration and Parliament knew it was impossible to keep faith. He did not propose to do anything but what he believed they could do, and he had not proposed to do anything but what he believed to be within the preamble of the Bill of last session, which was to the effect that the taxation of the people as it was when the original bargain was made should not be increased. It would be found that he so informed the Imperial Government in the last despatch sent on this subject. Believing that they would be able to keep their obligation with the public not to increase the taxation, and at the same time restore harmony between British Columbia and the rest of the Dominion, they had adopted the course they did, and they had introduced this Bill as an evidance that they were determined to proceed as rapidly as possible with the fulfilment of this part of their obligation. It might be that in some details the Bill might be improved, and if this could be shown he would willingly make any modification, but he could not consent to change the principle of the measure.

Hon. Mr. TUPPER said the hon. gentleman had given no answer to the point he had raised, namely, that the location of the road was a commencement of the work; and that therefore in order to keep good faith it was only necessary to proceed with the location of the line before next session.

Hon. Mr. MACKENZIE wished to ask one question—would the right hon. leader of the Opposition say that the commencing of a survey was the commencement of the construction of the road, within the terms of the agreement with British Columbia of 1872. He was perfectly aware that the hon. gentleman had sent a telegram something to that effect, but it was well known that the Government of British Columbia refused to recognize that as a commencement of the road. Now he would like to get the legal opinion—not the Parliamentary opinion—of the hon. gentleman upon the point as to whether the beginning of a survey was the commencement of the construction of the line.

Sir JOHN MACDONALD said he had no doubt that a location survey was as much a commencement of the construction of the railway as the actual breaking of the ground; but he would not consider that preliminary surveys were the commencement of construction.

Hon. Mr. MACKENZIE said that the hon. gentleman when he was leader of the Government had applied to have the land on Vancouver Island set apart for the railway upon the ground that the survey had commenced. The Local Government refused the application, and the gentleman made no further attempt to get the law carried out which he was bound to do if it were true that the beginning of a survey was legally the beginning of the construction of the line.

Sir JOHN A. MACDONALD said the circumstances were these:—The Government were informed that the lands of the Island were eagerly sought after by speculators and were afraid that the lands for the railway would be handed over to

other parties or pre-empted; and they therefore applied for the conveyance of these lands to them by British Columbia. The answer of the British Columbia Government was that they would not convey them but would reserve them.

Hon. Mr. MACKENZIE—They were bound to reserve them.

Sir JOHN A. MACDONALD—Only for two years. They claimed that the work was not commenced until the actual work of construction was begun, and they agreed, if the Government of Canada were afraid that at the end of two years the land would be gone, to reserve it. That was all the Government wished and, therefore, they agreed to that arrangement.

Hon. Mr. TUPPER said that he hoped that the First Minister having taken the legal opinion of the gentlemen of his own selection, he would now abide by that opinion. He was glad to have that point disposed of, because it was important. He was disposed to do anything towards assisting the First Minister to carry out in good faith the engagement of this country. But apart from all that he contended that the actual progress of the work would be advanced by the Government spending the whole of the ensuing season in procuring an exhaustive survey of the line. No man, who had the slightest knowledge of Railway construction, would deny that the utmost care should be taken in the location of the line, and even after all the care that could be bestowed upon it, it was frequently found that very large sums of money could be saved by making changes in the location as the road progressed. He held that if this plan was adopted no time would be lost. In the first place, if the Government carried out their own plan, tenders would have to be asked for. Now, as this work was 3,000 miles away from headquarters, and from the places where most of the large contractors live, it would be necessary that the Government should be in a position to lay before the parties who desired to tender the fullest information respecting the work that would be required of them. Even in the case of a railway that was at our doors, this was necessrry; but it was far more necessary in the case of a work at such a great distance away. The Government were, therefore, bound in the public interests to obtain the fullest information about the work before they asked for tenders.

Hon. Mr. MACKENZIE—They intend to so.

Hon. Mr. TUPPER—Then every person familiar with railway construction must know that in view of the fact only an exploratory survey of this line has yet been made it will take the whole of next season to obtain the information which it was necessary to have in order that contracts could be let at the lowest possible rates. It was quite true that this Bill contained a clause that the work might be undertaken by the Government, but if this were done there would be even a greater necessity for the Government to obtain very full information before they commenced the construction of the road. Before he sat down he would remind the hon. gentleman from British Columbia that there was no inconsistency in this matter. The contract in this case was different from those to which the Government did not require the assent of Parliament. The original contract was one with regard to which the means which the company were asked to give were distinctly specified by Act of Parliament. There was therefore no inconsistency in requiring that the contract in this case, the amount of it being as yet entirely unknown, should be submitted to Parliament.

Mr. BUNSTER said he had been all over the country through which this road would pass. The gradients were easy, the road would run from one good harbor to another and would have a traffic of three hundred thousand tons of coal per annum, which of itself would be sufficient to cover the working expenses.

Sir JOHN A. MACDONALD said the Premier had stated he expected to be in a position to ask for tenders by midsummer. That was very early, but supposing that were the case, and that after tenders were received they were such that the Government could not accept. The Government would then have to proceed with the work themselves, but before doing so they must under the Bill submit it to public competition. He supposed at least six weeks would be given for the receiving of tenders in the first instance, then more time would have to be given for offering the work to public competition and the time for the meeting of Parliament again would be round before very little could be done. Therefore no time would be lost if

Government would during the recess obtain complete surveys and have the contract ready for submission to Parliament at its next session. If this proposition was not accepted the hon. gentleman would find from bitter experience that he had assumed a responsibility which he would regret.

Mr. DE COSMOS said it had been stated that the work of construction could only be carried on for three months in the year. That was entirely incorrect as the work could go on for the whole year.

Hon. Mr. TUPPER said that was an additional reason why Parliament should be allowed the opportunity of passing upon the contract because immediately after the contract was confirmed the parties could go to work.

Hon. Mr. MACKENZIE said the leader of the Opposition had assumed that they did not intend to have a complete survey. They did intend to have a complete survey; but if contrary to the opinion of the engineers it could not be completed in time to have the work begun before the meeting of Parliament he would, as he had done with the Georgian Bay Branch give Parliament an opportunity of pronouncing upon the contract. But if on the other hand they were obliged to lay on their oars and do nothing, waiting for the meeting of Parliament, he knew what the cry would be and it would come from more than one quarter.

The amendment of hon. Mr. TUPPER was then put and declared lost.

Hon. Mr. TUPPER called attention to the absence of a clause which was contained in the Georgian Bay contract, which provided that the railway would be forfeited to the Government if the parties constructing it failed to work it.

Hon. Mr. MACKENZIE—That will be put in the contract.

The various sections of the Bill were adopted with slight alterations and the Committee rose and reported the Bill with the amendments, which were read the first and the second time.

Hon. Mr. MACKENZIE moved the third reading of the Bill.

Hon. Mr. TUPPER moved that the Bill be not now read the third time, but that it be referred back to the Committee of the Whole with instructions to add the following words to the 8th sub-section of the third clause, "provided always that any such contract shall have the previous approval of Parliament."

A division was taken on the amendment with the following result:—

YEAS:

Messieurs

Archibald,	McKay (*Colchester*),
Baby,	Macmillan,
Bain,	McCallum,
Bernier,	McCraney,
Blake,	McQuade,
Burk,	Masson,
Caron,	Mills,
Cimon,	Monteith,
Cook,	Montplaisir,
Costigan,	Mousseau,
Coupal,	Norris,
Cunningham,	Orton,
Cuthbert,	Ouimet,
Dewdney,	Palmer,
Dugas,	Pickard,
Farrow,	Pinsonneault,
Ferguson,	Plumb,
Flesher,	Pope,
Fraser,	Richard,
Gaudet,	Robitaille,
Gill,	Rouleau,
Gordon,	Ryan,
Hagar,	Rymal,
Haggart,	Scatcherd,
Harwood,	Schultz,
Hurteau,	Smith (*Peel*),
Jones (*Leeds*),	Stephenson,
Kirkpatrick,	Thompson (*Haldimand*),
Lanthier,	Tupper,
Macdonald (*Kingston*),	Wallace (*Norfolk*),
McDonald (*CapeBreton*),	White,
McDougall (*Renfrew*),	Wright (*Ottawa*),—64

NAYS:

Messieurs

Appleby,	Killam,
Aylmer,	Kirk,
Barthe,	Laflamme,
Béchard,	Laird,
Bertram,	Lajoie,
Biggar,	Landerkin,
Blackburn,	Langlois,
Borden,	Laurier,
Borron,	Macdonald (*Cornwall*),
Bowman,	Macdonald (*Glengarry*),
Brown,	Macdougall (*Elgin*),
Buell,	MacKay (*Cape Breton*),
Bunster,	Mackenzie (*Lambton*),
Burpee (*St. John*),	Maclennan,
Cartwright,	McIntyre,
Casey,	McLeod,
Casgrain,	Metcalfe,
Cauchon,	Oliver,
Church,	Paterson,
Cockburn,	Pelletier,
Cushing,	Perry,
Davies,	Pettes,
DeCosmos,	Pouliot,
Delorme,	Pozer,
De St. Georges,	Robillard,
De Veber,	Ross (*Durham*),

Dymond,
Fiset,
Fleming,
Flynn,
Forbes,
Fournier,
Frechette
Galbraith,
Geoffrion,
Gibson,
Gillies,
Gillmor,
Higginbotham,
Holton,
Horton,
Huntington,
Irving,
Jetté,
Jodoin,
Kerr,
Ross (*Middlesex*),
Ross (*Prince Edward*),
Scriver,
Shibley,
Smith (*Selkirk*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson (*Cariboo*),
Thompson (*Welland*),
Tremblay,
Trow,
Vail,
Wilkes,
Wright (*Pontiac*),
Young—91

The Bill was then read a third time and passed.

QUESTION OF PRIVILEGE.

Hon. Mr. TUPPER stated that it had been currently reported that the hon. President of the Council had stated that at the time of the Northumberland election, when Mr. COCKBURN was SPEAKER of the House, he had declared it to be six o'clock when it was only half-past five o'clock, at the suggestion of the hon. member for Kingston.

Hon. Mr. HUNTINGTON said he was not surprised that gentlemen without Parliamentary experience had misunderstood the statement, but hon. members would have no difficulty in understanding that he meant that the SPEAKER left the chair before six o'clock because he was asked to do so, and because the Government wished time to consider certain matters.

Sir JOHN MACDONALD said he was glad the matter had been brought forward because he never asked the late SPEAKER to declare it six o'clock when that hour had not arrived.

Hon. Mr. TUPPER said the only point he wished to raise was whether the hon. President of the Council wished to reflect on the impartiality of the late SPEAKER, for he believed the hon. gentleman had no such intention.

THE SUPREME COURTS.

On motion of the hon. Mr. FOURNIER, the House went into Committee on the Superior Court Bill, Mr. CASGRAIN in the chair.

The Bill was reported with amendments, which were read and concurred in.

PRIVATE AND LOCAL BILLS.

The following Bills passed through committee, were read a third time and passed:—

To provide for the amalgamation of the Niagara District Bank with the Imperial Bank of Canada (from the Senate).

To incorporate "The Canada Land Investment Guarantee Company (limited)."

To incorporate the Pictou Iron and Coal Company.

To incorporate the Canadian Gas Lighting Company (from the Senate).

To incorporate a company to construct, own and operate a railway from Red River, in the Province of Manitoba, to a point in British Columbia, on the Pacific Ocean.

To legalize and confirm certain agreements made between the Niagara Falls International Bridge Company, the Niagara Falls Suspension Bridge Company, and the Great Western Railway Company.

To authorize the Canada Southern Railway Company to acquire the Erie and Niagara Railway, and for other purposes.

The amendments made by the Senate to the following Bills were concurred in:—

Act relating to the Upper Ottawa Improvement Company.

Act to incorporate the Lower Ottawa Boom Company.

Act to incorporate the Industrial Life Insurance Company."

Hon. Mr. MACKENZIE moved the adjournment of the House. The House adjourned at 1.20.

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HOUSE OF COMMONS,

Tuesday, March 30th, 1875.

The SPEAKER took the chair at three o'clock.

BILL INTRODUCED.

Mr. WRIGHT (Ottawa) introduced a Bill to incorporate the Canadian Lumber and Timber Association.

The Bill was read a first time.

APPOINTMENT OF HARBOR MASTERS.

On motion of Hon. Mr. SMITH the House in committee resumed considera-

tion of Bill to amend the Act 37 Vic., Cap. 34, appointing harbor masters; Mr. BURPEE (Sunbury) in the chair.

Hon. Mr. SMITH said he had considered the suggestion of the hon. member for Chateauguay made yesterday, and would agree to the insertion of a clause giving the GOVERNOR GENERAL in Council power to appoint harbor masters at ports on the Lower St. Lawrence.

Hon. Mr. MITCHELL said the Bill provided that a ship should not have to pay the fees more than twice a year, no matter at how many ports or how often it called. Take the Gulf Ports' ships for instance. They called at eight ports every trip. He wished to know if they paid at any two of these ports they would have to pay again.

Hon. Mr. SMITH said they would only have to pay twice, and they might pay both times at one port.

Hon. Mr. MITCHELL—Have they their choice of where they will pay.

Hon. Mr. SMITH—They pay where they first call.

Hon. Mr. MITCHELL—Had not my hon. friend better put that in the Bill so as to prevent any difficulty?

The Bill was amended so as to provide that a ship shall pay the fees at the first and second port it calls at.

The committee rose and reported the Bill with amendments, which were read a first and second time, and the Bill was read a third time and passed.

SUPREME COURT.

Hon. Mr. FOURNIER moved the third reading of the Bill to establish a Supreme Court and Court of Exchequer for the Dominion of Canada.

Mr. WHITE moved that the Bill be not now read the third time, but that it be read the third time this day six months. His reasons for making this motion were, in the first place there was no petitition from any of the Provinces asking for this Bill; in the second place when this Government came into power they thought it necessary to tax the people of this country to the extent of $3,000,000 in order to meet the requirements of the Dominion; and, in the third place, all the public money of this country was more required for public works than for a Supreme Court. During the time the late Government was in power, the Ministerialist representatives from Quebec declared that they would not support the Ministry in this measure. In Ontario, as the hon. member for Leeds had remarked, there were enough courts to meet the requirements of the people without establishing another court which would cost this country $100,000 a year. Petitition after petition had been presented in this House asking that the canals be deepened to 14 feet. Why not apply this money in that way? This House should not forget that the country was pledged to build the Pacific Railroad, and that the Premier was bringing in Bills to construct branches of that road. Some of the Ministerial journals claimed credit for the Government because they had dismissed public officials and saved $30,000 to the country, but they omitted to mention that the same Government was imposing an unneceessary burden of $100,000 per annum on the people. For these reasons he submitted his motion.

Mr. JONES (Leeds), in seconding the motion, said he did not look upon this Bill as a party measure because it was a bantling of the old Government which the present Ministry had adopted. As he had remarked on a former occasion, our judiciary was in a very good state; justice was at every man's door, and he did not approve of expending $100,000 for something that the country did not need.

Hon. Mr. MITCHELL said he was not in the House when this Bill was under discussion. He merely rose now to say that while not approving of some features of the Bill, its general principles met his approval and would receive his support.

The House divided on the amendment, with the following result: yeas, 38; nays, 121.

YEAS:

Messieurs

Baby,
Béchard,
Bernier,
Biggar,
Bourassa,
Bowell,
Caron,
Cheval,
Cimon,
Coupal,
Cuthbert,
Farrow,
Ferguson,
McDonald (*Cape Breton*),
Macmillan,
McCallum,
Masson,
Monteith,
Montplaisir,
Mousseau,
Orton,
Ouimet,
Pinsonneault,
Platt,
Plumb,
Robillard,

Gaudet,
Haggart,
Harwood,
Irving,
Jones (*Leeds*),
Little,
Rouleau,
Rymal,
Scatcherd,
Stephenson,
Wallace (*Norfolk*),
White,—38.

NAYS:

Messieurs

Appleby,
Archibald,
Aylmer,
Barthe,
Bertram,
Blain,
Blake,
Bordon,
Borron,
Bowman,
Brown,
Buell,
Burk,
Burpee (*St. John*),
Burpee (*Sunbury*),
Cameron, (*Cardwell*,
Cameron, (*Ontario*),
Cartwright,
Casey,
Casgrain,
Church,
Cockburn,
Cook,
Costigan,
Cunningham,
Cushing,
Davies,
Delorme,
De St. Georges,
De Veber,
Devlin,
Dewdney,
Dymond,
Ferris,
Fiset,
Fleming
Flynn,
Forbes,
Fournier,
Fraser,
Fréchette,
Galbraith,
Geoffrion,
Gibson,
Gill,
Gillies,
Gillmor,
Gordon,
Goudge,
Hagar,
Hall,
Higginbotham,
Holton,
Huntington,
Jetté,
Jodoin,
Kerr,
Killam,
Kirk,
Kirkpatrick,
Laflamme,
Laird,
Lajoie,
Landerkin,
Langlois,
Lanthier,
Laurier,
Macdonald (*Cornwall*),
Macdonold (*Glengarry*),
Macdonald (*Kingston*),
MacDonnell (*Inverness*),
Macdougall (*Elgin*),
McDougall (*Renfrew*),
McDougall (*ThreeRivers*)
McKay (*Colchester*),
Mackenzie (*Lambton*),
Maclennan,
McCraney,
McIntyre,
McLeod,
Metcalfe,
Mills,
Mitchell,
Moffat,
Moss,
Murray,
Norris,
Oliver,
Paterson,
Pelletier,
Perry,
Pettes,
Pouliot,
Pozer,
Richard,
Robitaillie,
Ro ester,
Ross *Durham*),
Ross (*Middlesex*),
Ross (*Prince Edward*),
Ryan,
Scriver,
Sinclair,
Skinner,
Smith (*Peel*),
Smith (*Westmoreland*),
Snider,
Stirton,
St. Jean,
Taschereau,
Thompson (*Cariboo*),
Thompson (*Haldimand*),
Thomson (*Welland*),
Tremblay,
Trow,
Tupper,
Vail,
Wilkes,
Wood,
Wright (*Pontiac*),
Young,—121.

The amendment was therefore declared lost.

Mr. OUIMET moved, seconded by Mr. MOUSSEAU, That this Bill be not now read the third time, but that it be referred back to the Committee of the Whole, with instructions to amend it so as to exclude from the appellate jurisdiction given to the Supreme Court of Canada all cases involving questions relating to property and civil rights and civil procedure.

Mr. TASCHEREAU moved in amendment to the amendment, seconded by Mr. SCATCHARD, That all the words after "House" be struck out and the following substituted: to amend the same by striking out all provisions conferring upon the proposed Supreme Court appellate jurisdiction in suits arising under Provincial law and within the Legislative jurisdiction of the Provinces, so as to make the proposed Supreme Court a General Court of Appeal for Canada solely.

Mr. WRIGHT (Pontiac) said it appeared to him somewhat extraordinary that when they were endeavoring to establish a Court of ultimate appeal they should find arrayed against it the legal talent of the Province of Quebec. As an humble member of the profession, he was at a loss to understand how any lawyer in the Province of Quebec could have more confidence in the ultimate appeal to the Judicial Committee of the Privy Council than to a court constituted as this would be. He hoped the Bill would pass in its present shape; and he could only express his astonishment that any Quebec lawyer would seek to oppose it.

Mr. OMIMET said that the amendment to the amendment covered the same ground as his motion, and, as it was more explicit, he had no objection to accept it. The opponents of this Bill had never said that they had more confidence in the Judicial Committee of the Privy Council than they would have in this proposed Supreme Court. On the contrary, for himself, he would be very glad to have the appeal to the Privy Council abolished. But that was not the question now before the House. Certainly this Bill did not propose to abolish that appeal. If the hon. member for Pontiac wished to get rid of that appeal, he should have moved an amendment in that direction. For the reasons which he had expressed the other day, he would support the amendment

now before the House. If they could not get justice from the Provincial Courts of Quebec, they certainly would not get justice from this Supreme Court. Very probably two of the Judges of the Court of Queen's Bench would be appointed to the Supreme Court, and the result, practically, would be that there would be an appeal from five Judges to two. It was quite true that the other Judges of the Supreme Court might study up the civil law of Lower Canada; but it was a generally admitted principle that a Judge should be familiar with the practice of the law. That principle was embodied in all our Acts relating to the appointment of Judges, including the Bill now before the House. That Bill provided that no one should be appointed a Judge of this Supreme Court excepting a lawyer of ten years practice, or a Judge of one of the Superior Courts, thereby admitting the principle that a Judge should be familiar with the practice of the law which he is to administer.

The House divided on the amendment to the amendment which was rejected on the following vote :—Yeas, 40 ; Nays, 118.

YEAS :

Messieurs

Baby,	Macmillan,
Béchard,	McCallum,
Bernier,	McQuade,
Bourassa,	Masson,
Caron,	Mills,
Cheval,	Monteith,
Cimon,	Montplaisir,
Costigan,	Mousseau,
Coupal,	Orton,
Cuthbert,	Ouimet,
Farrow,	Pinsonneault,
Ferguson,	Platt,
Gaudet,	Plumb,
Gill,	Robillard,
Haggart.	Roulean,
Harwood,	Scatcherd,
Hurteau,	Stephenson,
Jones (*Leeds*),	Taschereau,
Lanthier,	Wallace (*Norfolk*),

McDonald(*Cape Breton*), White—40.

NAYS :

Messieurs

Appleby,	Kirkpatrick,
Archibald,	Laflamme,
Aylmer,	Laird,
Barthe,	Lajoie,
Bertram,	Landerkin,
Biggar,	Langlois,
Blackburn,	Laurier,
Blain,	Macdonald (*Cornwall*),
Borden,	Macdonald (*Glengarry*),
Borron,	Macdonald (*Kingston*),
Bowell,	MacDonnell (*Inverness*),
Bowman,	Macdougall (*Elgin*),
Brown,	McDougall (*Renfrew*),
Buell,	McKay (*Colchester*),
Burk,	Mackenzie (*Lambton*),
Burpee (*St. John*),	Maclennan,
Burpee (*Sunbury*),	McCraney,
Cameron (*Cardwell*),	McIntyre,
Cameron (*Ontario*),	McLeod,
Cartwright,	Metcalfe,
Casey,	Mitchell,
Casgrain,	Moffat,
Church,	Moss,
Cockburn,	Murray,
Cook,	Norris,
Cunningham,	Oliver,
Currier,	Palmer,
Cushing,	Pelletier,
Davies,	Perry,
Delorme.	Pettes,
De St. Georges,	Pouliot,
Dymond,	Pozer,
Ferris,	Richard,
Fiset,	Robitaille,
Fleming,	Rochester,
Flynn,	Ross (*Durham*),
Forbes,	Ross (*Middlesex*),
Fournier,	Ross (*Prince Edward*),
Fraser,	Ryan,
Fréchette,	Schultz,
Galbraith,	Scriver,
Geoffrion,	Shibley,
Gibson,	Sinclair,
Gillies,	Skinner,
Gillmor,	Smith (*Peel*),
Gordon,	Smith (*Westmoreland*),
Goudge,	Snider,
Hagar,	Stirton,
Hall,	St. Jean,
Higginbotham,	Thibaudeau,
Holton,	Thompson(*Haldimand*),
Horton,	Thomson (*Welland*),
Huntington,	Tremblay,
Irving,	Trow,
Jette,	Tupper,
Jodoin,	Vail,
Kerr,	Wilkes,
Killam,	Wood,
Kirk,	Wright (*Pontiac*)—118.

The amendment was declared lost on the same division.

Mr. LAFLAMME moved that this Bill be not now read a third time, but that it be referred back to Committee of the Whole to be amended by adding the following words after the word "court" on the 18th line of the fourth section of the said Bill :—"Two of whom at least shall be taken from the Judges of the Superior Court or Court of Queen's Bench, or from amongst the Barristers or Advocates of the Province of Quebec." He said this motion was merely to carry out the idea which he had expressed the other night—that he believed under the peculiar circumstances in which the Province of Que-

bec was situated, and its special system of laws, of which the Judges from the other Provinces who might be selected for the composition of this court would be entirely ignorant—it was essential in order to arrive at a good and sound interpretation of the laws of that Province, that two of these Judges, at least, should be selected from the bar of Lower Canada. He believed there was no Province in the Dominion which stood in this peculiar position. If their laws had been the same as those of the other Provinces, certainly no one in Quebec would have pretended to demand this representation, but he believed a sense of fair play and of justice would commend this amendment under the circumstanees to the House. He might refer to the fact that it was generally remarked amongst the barristers in London at the time cases from the Province of Quebec were argued that it was essential since the English Judges could not render justice in cases arising in Lower Canada that HER MAJESTY should add to the Privy Council one Judge from Lower Canada who understood the laws of that Province, consequently he believed and in fact was perfectly satisfied that no member in this House, and no man in the country, would doubt it, that Judges selected from the bar of the Province of Quebec would be as competent to administer justice as those selected from the bar of any other Province. It struck him that as their training and education was more in the sense of equity than of com mon law jurisdiction their appointment would be no disadvantage, but rather an advantage to this court. He believed this amendment, owing to the peculiar position in which Quebec stood would meet with no objection from any hon. member in this House.

Mr. McKAY WRIGHT did not approve of any sectionalism whatsoever in this Bill. Whilst he admitted the peculiarities in the laws of the Province of Quebec as distinguished from the apparent similarity which the hon. member supposed existed in the laws of the other Provinces, he thought it would be unadvisable to adopt this amendment. Under the Act it was provided that the Judges of Quebec should always be taken from the Bar of that Province. In the Constitution of the Supreme Court the Government could not do otherwise than recognize the rights guaranteed to Quebec by the Constitution, and, therefore, he saw no reasen why such a proposition as that submitted should not be embodied in the Bill. He was opposed to sectionalism, but in an important measure of that kind the Government would give to Quebec the security that its laws should be respected in the Supreme Court as well as in the Provincial Courts. No doubt the court would be so constituted that the interests of the Province of Quebec would be guarded, or as a resident of that Province, he protested against any sectional legislation in respect to the Constitution of the Court in favor of Quebec.

Hon. Mr. FOURNIER thought there was no difficulty in meeting the proposition of the hon. member for Jacques Cartier. No administration would undertake to put the law in force without giving due regard to the special circumstances of the Province of Quebec, for every one knew the great difference that exists between its laws and those of the other Provinces. The rights of Quebec were recognised in the Constitutional Act, which also contained a provision that the Judges for Nova Scotia and New Brunswick should be taken from the Bar of those Provinces until an assimilation of those laws with the laws of Ontario had taken place.

Mr. OUIMET said the admission of the Minister of Justice was the strongest argument that could be advanced in favor of the proposition he (Mr. OUIMET) had made the other night. If the argument of the Minister of Justice was sound that under the 90th section of the Constitution which provided that the Judges of the Quebec Courts must be taken from the Bar of that Province, there must be two Judges of this Supreme Court from that Province, then upon the same argument this Court was either unconstitutional or it should be so constituted that all the cases from Quebec should be tried by Quebec Judges.

Mr. PALMER said he was quite willing to admit that two of the Judges of the Supreme Court should be taken from Quebec, but he would be sorry to see that made a part of the Act. If Quebec was not content to be governed in this matter at any particular time there was nothing in the Act to prevent all the Judges being taken from that Province. If it was

necessary to make a provision in the Act with the end indicated, he would suggest that it be made in such a way that only two Judges could be appointed from Quebec. If we must have this sectional legislation, we should try to have it in such a way as not to do injustice to the other Provinces.

Mr. MILLS said he deprecated sectionalism as much as any hon. gentleman; but it seemed to him that it was no indication of sectionalism to ask that Quebec should have some members of the Supreme Court who would be acquainted with its laws. If the Supreme Court Bill had not been extended, but had been confined to cases arising out of Canadian Laws only, there would be no necessity for such a provision as the one proposed, but, when it was proposed to give this Court jurisdiction over all local laws, and as Quebec had an entirely different system of jurisprudence from the other Provinces, it was only reasonable that she should have security that a portion of the Court would understand the system of law which it would be called upon to administer. That remark did not apply to the other Provinces, because they had all the same system of jurisprudence.

Hon. Sir JOHN MACDONALD said he quite agreed with the statement that considering the duties that were thrown upon this court, and the fact that Quebec had a different system of jurisprudence from the other Provinces, that at least two of the Judges should be taken from Quebec. The Minister of Justice was quite right in stating that no Government could ignore that fact. The only question was whether it would be introduced into the Bill or not. This was one of the many instances of the very great import- of a Bill having several stages to pass through. The hon. the Minister of Justice had introduced this Bill without this provision—he had passed it through the second reading without adopting it, and even in Committee of the Whole he was still unconvinced of its necessity; and when the member for Jacques Cartier proposed it the hon. the Minister of Justice said it was quite inadmissable. At the last moment, however, as he had a right to do, he changed his mind and agreed to the proposition. The only possible objection that could be raised to it was that it might give rise to claims being made by the Bars of the other Provinces, to be secured in the same way. However, in the other Provinces they had the same system of jurisprudence, and there was not the same necessity for such a provision in respect to them; therefore, unless it would be to avoid exciting sensitiveness in the other Provinces, he saw no objection to the adoption of the amendment.

Mr. MASSON said the amendment of the member for Jacques Cartier and the speech of the Minister of Justice proved that the country was not ready for this court. The court could not have the confidence of the country unless its members were conversant with the laws of all the Provinces. Now, under the circumstances it was impossible to establish a court for the whole Dominion, which should have jurisdiction over local laws in which the Province of Quebec could be properly protected. The Government admitted that in admitting that two of the Judges should be from the Province of Quebec. Why should the Province of Quebec have more right than the other Provinces to have two of its Judges in this court? It was because the other Judges, although very able men, would not be so familiar with the Quebec laws as to be able to do justice to Quebec litigants. If they were able to do so why should provision be made that two of the Judges must come from Quebec? The Minister of Justice in admitting that two of the Judges must come from Quebec admitted that the other Judges would be incompetent to properly administer the Quebec law. What would be the result? The two Judges from Quebec would have to adjudicate alone upon Quebec cases, for if the other judges could adjudicate upon cases from that Province, this amendment was unnecessary. He had objected to the Bill as a whole, but as the majority of the House had agreed to adopt it, he was willing to accept this amendment so that the court would at least have two Judges that knew something of the law of Lower Canada.

M. BARTHE :—Je n'en ai qu'un mot à dire. Toute la députation de notre Province devrait voter pour la motion faite par le député de Jacques Cartier. Car elle est nécessaire pour la conservation de nos lois et de nos institutions, et pour l'autonomie de notre Province. Les autres provinces n'ont pas la même raison

d'exiger des garanties de cette nature, parce qu'elles auront des hommes éminents, connaissant bien leurs lois et qui sauront les protéger devant ce tribunal. Tandis que nous, de la Province de Québec, régis par des lois toutes particulières et que nous chérissons et tenons à conserver, il est de toute justice que nous ayions deux juges de notre province dans la Cour Suprême. C'est pourquoi je voterai pour l'amendement du député de Jacques Cartier avec l'espoir que toute la députation de la Province de Québec votera dans le même sens.

Mr. CURRIER said if the hon. member would carry out his idea to its logical conclusion, he would provide that the decisions of this court, in cases coming from Quebec, should be decided solely by the two Judges from that Province. As he (Mr. CURRIER) did no t think this would be either right or reasonable, he would oppose the amendment.

The motion was carried on a division and the amendmen , having been made in Committee, was concurred in.

Mr. PALMER said the features of this Bill had been very considerably altered in Committee, in respect to the jurisdiction given to this court. It would have no original jurisdiction as at first contemplated in the matters provided for in the sections from 55 to 70. The work being thus diminished, the salaries should also be decreased to the amounts specified in the Bill introduced by the late Government, viz, $7,000 for the Chief Justice and $6,000 for each of the Puisne Judges. The Judges of this court would, no doubt, be taken from the benches of the Provinces. Under the superannuation Act they would be allowed, on retiring, if they had served for any length of time, about two-thirds of the amount of the salaries. The result of this would be to impose a very large charge on the country. This House should remember that at this session a large number of new offices had been created under the Insolvency Act, the Insurance Bill, and the North-West measure. Care should therefore be exercised in imposing these large burdens on the people. He believed in paying liberally for services rendered, but could not approve of extravagence. He therefore moved that this Bill be not now read a third time but that it be referred back to Committee of the Whole with instructions so to amend the 7th section as to provide that the salaries of the Chief Justice and the Puisne Judges of the Supreme Court shall be $7,000 per year for such Chief Justice and $6,000 for each Puisne Judge of said court, instead of $8,000 and $7,000 respectively.

Hon. Mr. FOURNIER said no jurisdiction had been cut off by the amendments, but on the contrary jurisdiction had been added. One amendment empowered the GOVERNOR in Council to refer to the Judges private Bills for examination. Then again the number of cases would be very considerably increased by the reduction of the amount for which an appeal could be taken, from $1,000 to $500. As to the amount of salary, it was deemed best to secure the most competent men for this court, and a salary about equal to that which the Chief Justice of Ontario received was to be paid to the Chief Justice of the Supreme Court. The former received from the Dominion Government $6,000, from the Ontario Government $1,000, and for the trial of controverted election cases at least $500. There was no reason to complain of the amount of salaries to be paid to these Judges.

The House divided on the amendment with the following result :—

YEAS :

Messieurs

Baby,	McCraney,
Bain,	McQuade,
Béchard,	Masson,
Bernier,	Mitchell,
Biggar,	Monteith,
Bourassa,	Montplaisir,
Bowell,	Mousseau,
Bunster,	Ouimet,
Burk,	Palmer,
Caron,	Pinsonneault,
Cheval,	Platt,
Costigan,	Plumb,
Coupal,	Pouliot,
Cunningham,	Pozer,
Cuthbert,	Robitaille,
Farrow,	Rouleau,
Ferguson,	Scatcherd,
Gaudet,	Sinclair,
Gibson,	Stephenson,
Haggart,	Thibaudeau,
Harwood,	Thompson (*Haldimand*),
Hurteau,	Tupper,
Kirk,	Wallace (*Norfolk*),
McDonald (*Cape Breton*),	White,—49
McCallum,	

NAYS :

Messieurs

Appleby,	Kerr,
Aylmer,	Kirkpatrick,

Mr. Borthe.

Barthe,	Laflamme,
Bertram,	Laird,
Blackburn,	Lajoie,
Blain,	Landerkin,
Blake,	Langlois,
Borden,	Lanthier,
Borron,	Laurier,
Bowman,	Macdonald (*Cornwall*),
Buell,	Macdonald (*Glengarry*),
Burpee, (*St. John*),	Macdonald (*Kingston*),
Burpee, (*Sunbury*).	Macdougall (*Elgin*),
Cameron, (*Cardwell*),	McDougall (*Renfrew*),
Cartwright,	McKay (*Colchester*),
Casey,	Mackenzie (*Lambton*),
Casgrain,	Maclennan,
Cauchon,	Macmillan,
Church,	McIntyre,
Cimon,	McIsaac,
Cockburn,	Metcalfe,
Cook,	Mills,
Currier,	Moffat,
Cushing,	Moss,
Davies,	Murray,
Delorme,	Norris,
De St. Georges,	Oliver,
Dewdney,	Paterson,
Dymond,	Pelletier,
Ferris,	Perry,
Fiset,	Robillard,
Fleming,	Ross (*Durham*),
Flynn,	Ross (*Middlesex*),
Forbes,	Ryan,
Fournier,	Shibley,
Fréchette,	Smith (*Peel*),
Galbraith,	Smith (*Selkirk*),
Geoffrion,	Smith (*Westmoreland*).
Gill,	Snider,
Gillies,	St, Jean,
Gillmor,	Taschereau,
Gordon,	Thomson (*Welland*),
Hagar,	Tremblay,
Hall,	Trow,
Higginbotham,	Vail,
Holton,	Wilkes,
Huntington,	Wood,
Irving,	Wright (*Pontiac*)
Jetté,	Young—99.
Jodoin,	

Mr. IRVING said that a few days ago he expressed his views to the House in respect to the Privy Council hearing appeals from Provincial Courts, and he was now prepared to submit an amendment on the subject. By the Imperial Act of 1867 power was given to create a General Court of Appeal, the effect of which would be to enable the Dominion to deprive the Provinces of their right of appeal except to that court in the first instance. He moved, seconded by Mr. LAFLAMME :—

" That the Bill be not now read a third time, but that it be referred back to the Committee of the Whole House with instruction to insert in the Bill, in the 40th Section, the following words :—

' No error or appeal shall be brought from any judgment or order of any Court of any of the Provinces, subsequent to the commencement of the said Act, to HER MAJESTY in Council, but every decree and order of all Courts of final resort within the several Provinces, in respect of any subject matter or proceeding wherein appeal now lies from any such Courts to HER MAJESTY in Council, shall and may be appealed to the Supreme Court.' "

The amendment was lost on division.

Mr. BUNSTER said that there should be, in the Supreme Court, a Judge from British Columbia, where there was excellent legal talent. It was desirable not only in the interests of the Pacific Province, but also of the Dominion that such a Judge should be appointed, inasmuch as the Judges of the other Provinces knew little about the management of Indian lands or of mining affairs. He hoped that this concession would be made and justice done to British Columbia, inasmuch as injustice had been done to it in many other matters. He moved, therefore, seconded by Mr. CUNNINGHAM " That this Bill be not now read a third time, but that it be referred back to the Committee of the Whole for the purpose of inserting a provision that at least one of the Judges of the Court shall be selected from the bench or bar in British Columbia. "

The amendment was lost on division.

Mr. IRVING said that some charges had been made last night on the Bill when in committee to which he was entirely opposed. The 16th Clause was made to read, " That issues of fact in cases arising under the 63rd section shall be tried by the Judge without a jury." On turning to the 63rd section he found that all our matters of law relating to revenue were included under that heading. So extraordinary a proceeding had never before been attempted to be enacted by any British legislation, and that so soon as the country awakened to the sense of the danger involved if the Judges were allowed to decide on matters of fact in important cases of that character, the law would be strongly opposed. There was another point in the 69th clause which was very objectionable, and which provided that in the trial of issues of fact, arising out of cases under the 64th section, a writ shall be directed to the Sheriff commanding him to summon and empanel a jury. He proposed that the Act should be so amended as to require the Sheriff, not to summon or select a jury of his own motion, but

that he should be compelled to act according to the laws of the Province in which he had jurisdiction, the object of which was to prevent the Sheriff selecting a packed jury. Questions would be tried in which the Crown would be plaintiff, and important interests would be involved, and yet, under the Act, they were to be disposed of by a single Judge. Nothing contrary to British legislation could be attempted to be passed by Parliament. He moved that the said Bill be not now read the third time, but that it be referred back to the Committee of the Whole to reconsider the 68th and 69th sections with instructions to strike out the enactment which provides that issues of fact in cases arising under the 63rd section of the Bill shall be tried by the Judge without a jury and to insert a provision for the summoning of jurors by the Sheriff or Coroner according to the laws of the Province in which the Sheriff and Coroner are officers.

It being six o'clock, the SPEAKER left the chair.

AFTER RECESS,

Right hon. Sir JOHN MACDONALD said he hoped the amendment of the hon. member for Hamilton would not be entertained. This clause applied to revenue cases, and it must be obvious that a Judge sitting between the Crown and a person charged with a breach of the revenue laws was a much better tribunal than a jury. If a case of that kind were referred to a jury it was nearly always decided against the Crown. The jury forgot that in doing so they decided against the country, against themselves, and against the revenue, and he was quite sure on every ground, that the only way to protect the public revenue, and the Crown, from unjust judgments, was to leave the decision of such cases to the Judges. He was quite satisfied it would be a very great mistake to adopt this amendment.

Mr. MOSS said the amendment consisted of two parts—one he thought was pernicious and the other unnecessary. He thought it would be extremely unfortunate if at the instance of the hon. member for Hamilton, or on the strength of any arguments he had advanced, that this House should make a change as was proposed. The hon. member for Kingston had shown from his great experience that in these cases the jury were not apt to do justice to the Crown. But the hon. member for Hamilton stood upon the palladium. He was struck with the outrage proposed to be put upon the liberties of the people by this legislation. The hon. member for Hamilton had declared that no such legislation had ever been heard of in the world. The hon. member forgot that it was the rule in Ontario to have the trial in all cases by the Judges without the intervention of a jury.

Mr. IRVING—By consent.

Mr. MOSS said the consent had nothing to do with it. In every case where an equitable issue was raised the law declared it should be determined by the Judge without the intervention of a jury, except in certain cases such as libel, where a Judge could direct that a case should be tried without the intervention of a jury. The hon. member for Hamilton evidently had not read the last Act on this subject. But there was an argument that had great weight on this point. He learnt from an hon. friend in Quebec that it would not answer their system at all if the trial were to take place before a jury. The people of the Province of Quebec were satisfied the trial should be before a Judge. They desired there should be no departure from the system which already prevailed in their Province. It was impossible to secure uniformity of procedure in this case, and he trusted the House would see the propriety of rejecting the motion, so far as it related to this branch. The other part of the motion was unnecessary. It provided that the Sheriffs should summon juries in accordance with the laws of the respective Provinces. The hon. member for Hamilton might have apprehensions that the juries would not be summoned according to law. He (Mr. Moss) had no such apprehensions, because this Act provided that all procedure was to be regulated by rules of practice to be settled by the Judges. Could any one doubt that when the Judges came to settle the rules, they would not do so in the wisest manner? He was satisfied to leave this matter to the Judges, and was certain the object would be attained by the adoption of this motion. He trusted the House would vote down the amendment.

Mr. SCATCHERD said there was cer-

tainly something very mysterious about this Supreme Court Bill. In the first place, it provided for salaries for the Judges higher than those of the Judges of any other courts. Now we had a new principle introduced into it, namely, that in cases where a man's goods were seized by a Custom House officer, he shall not have trial by jury. It appeared to him that if there ever was a case when a man should have the right of trial by jury, it was such a case. He was willing that it should be left to the option of the party whose goods were seized to say whether he should be tried by a jury or not. If he wished to leave the case to the Judge, then it could be done, but certainly, if he wished a jury, he should not be deprived of that right. He did not think the Crown would suffer any injustice if such cases were left, so far as issues of facts were concerned, to a jury of twelve men.

The House then divided upon the amendment, which was lost. Yeas 10, nays 123.

Yeas :

Messieurs

Blain,	McCallum,
Bunster,	McQuade,
Costigan,	Monteith,
Farrow,	Rymal,
Irving,	Scatcherd,—10.

Nays ;

Messieurs.

Archibald,	Landerkin,
Baby,	Langlois,
Bain,	Lanthier,
Barthe,	Laurier,
Béchard,	Macdonald (*Glengarry*),
Bernier,	Macdonald (*Kingston*),
Biggar,	McDonald (*CapeBreton*),
Blackburn,	Macdougall (*Elgin*),
Blake,	McDougall (*Renfrew*),
Borden,	McKay (*Colchester*),
Borron,	Mackenzie (*Lambton*),
Bourassa,	Mackenzie (*Montreal*),
Bowell	Maclennan,
Bowman,	Macmillan,
Brouse,	McCraney,
Buell,	McIntyre,
Burk,	Masson,
Cartwright,	Metcalfe,
Casgrain,	Mills,
Cauchon,	Moffat,
Church,	Montplaisir,
Cimon,	Moss,
Cockburn,	Mousseau,
Cook,	Norris,
Coupal,	Oliver,
Cunningham,	Ouimet,
Currier,	Palmer,
Cushing,	Paterson,
Cuthbert,	Pelletier,
Davies,	Pickard,
DeCosmos,	Pinsonneault,
Delorme,	Platt,
De Veber,	Power,
Dymond,	Pozer,
Ferguson,	Robillard,
Fiset,	Rochester,
Fleming,	Ross (*Durham*),
Forbes,	Ross (*Middlesex*),
Fournier,	Ross (*Prince Edward*),
Fraser,	Rouleau,
Galbraith,	Schultz,
Gaudet,	Scriver,
Geoffrion,	Shibley,
Gibson,	Smith (*Peel*),
Gill,	Smith (*Westmoreland*),
Gillies,	Snider,
Gordon,	Stephenson,
Hagar,	Stirton,
Haggart,	St. Jean.
Hall,	Taschereau,
Higginbotham,	Thompson (*Cariboo*),
Holton,	Thompson (*Haldimand*),
Horton,	Thomson (*Welland*)
Hurteau,	Tremblay;
Jetté,	Trow,
Jodoin,	Tupper,
Kerr,	Vail,
Killam,	White,
Kirk,	Wood,
Laflamme,	Wright (*Ottawa*),
Laird,	Young—123.
Lajoie,	

Mr. Scatcherd.

Mr. IRVING moved, seconded by Mr. LAFLAMME, that the Bill be referred back to Committee of the Whole, with instructions to insert the following section : "The judgment of the Supreme Court shall in all cases be final and conclusive, and no error or appeal shall be brought from any judgment or order of the Supreme Court to any Court of Appeal established by the Parliament of Great Britain and Ireland, to which appeals or petitions to HER MATESTY in Council may be ordered to be heard, saving any right which HER MAJESTY may be graciously pleased to exercise as her royal prerogative."

Hon. Mr. FOURNIER said he was willing to adopt this amendment.

Right Hon. Sir JOHN MACDONALD said this amendment was the first step towards the severance of the Dominion from the Mother Country. He might add that it almost, if not quite insured the disallowance of the Bill in England. The Minister of Justice by assenting to this amendment defeated his measure. He would find that within six months it would be thrown aside in disgrace.

Hon. Mr. HOLTON said the House would hardly submit to be menaced by the hon. member for Kingston. The

rights of the Colonies had been sufficiently lost sight of by the hon. member while he was in power. The reason which the hon. member gave why the Colonial Minister in England would advise the disallowance of a measure conceived in the interests of the people of this country was a very strong reason for our ascertaining where we stood with regard to our local legislation. No man in this House would go further than he (Mr. HOLTON) would to maintain the proper constitutional connection between this Dominion and the Mother Country, but no man would go further in the assertion of the rights of British freemen on this floor. The hon. member for Kingston, true to his old Tory instincts—he figured occasionally as a Liberal when it suited his purpose—whenever a truly liberal measure was proposed threatened the House with the contumely of the Tory Ministry in England. He (Mr. HOLTON) had no fear that even the Conservative Ministry in England would pursue the course which the hon. gentleman had indicated.

Right Hon. Sir JOHN MACDONALD rose to reply to a remark which referred to him personally. The hon. member for Chateauguay asserted that he (Sir JOHN) had threatened the House. He had done nothing of the kind and the hon. gentleman knew very well how unjust such a charge was. He (Sir JOHN) had merely stated what he thought would be the inevitable consequences of adopting this amendment. If there was one thing which we should preserve more than another it was the right to appeal for final judgment to the foot of the Throne. This was a mere *brutum fulmen* and had no effect save to show disrespect to HER MAJESTY. The hon. member for Chateauguay was pleased in the most unparliamentary style to refer to him (Sir JOHN) as holding Tory principles. It was not very long ago since the sweet sound of the hon. gentleman's voice rang in his ears when that hon. gentleman said that the member for Kingston was not only a Liberal but an excessive Liberal, the least Conservative of men, a Communist, and an Agrarian. And now the hon. member held him (Sir JOHN) up as a Tory. He was not ashamed of being a Tory or a Conservative. It was an honest and respectable name, in the ascendaney on the other side of the water; and, thanks to the policy of the hon. gentleman it would soon be in the ascendency again in Canada.

Hon. Mr. CAUCHON observed that the law in Quebec limited appeals to the Privy Council to cases of £500 and in Ontario to cases of £1,000, so that it appeared according to the argument of the hon. member for Kingston that the question of preserving the tie with the Mother Country was one of money. That was a poor tie, but the connection with the Mother Country rested upon something much stronger. We had received too many despatches, as if we were only children and did not know how to deal with our own affairs. There must be an end to that, though we were determined to maintain the connection. The appeal to the Privy Conncil afforded the rich man the means of oppressing the poor man and it should be abolished. Of course there would still remain the appeal for any amount by way of address to HER MAJESTY, and he did not wish to disturb that, as that was the true tie between us and the Mother Country.

Mr. MILLS said the argument of the hon. member for Kingston was somewhat surprising because if it was worth anything it was good against the Bill. The hon. gentleman supported this Bill which would prevent a large number of appeals going to the Privy Council that are now taken there. He was therefore according to his own argument seeking to weaken the connection between this country and Great Britain.

Mr. KIRKPATRICK considered the amendment most objectionable and, if adopted, it would very seriously impair the usefulness of this court. This amendment would prohibit appeals to the Privy Council from the Supreme Court, but permitted them from the Provincial Courts. The result would be that appeals would be taken direct from the Provincial Courts to the Privy Council, and the Supreme Courts would be passed by. For this reason and also for the reason that it would tend to weaken the tie between this country and England, he would vote against the amendment.

Mr. YOUNG hoped the House would not be diverted from the merits of the amendment by these references to the weakening of the tie that binds us to Great Britain. The reason why he would support the amendment was that

he believed that our own Judges were in a better position to administer justice to our people than men three thousand miles away. The appeal to England had been used again and again by wealthy corporations and individuals to prevent others who were less favoured from getting justice. He hoped the House would not be led away by the cuckoo cry that this amendment would weaken our connection with the Mother Country.

Mr. CARON said that, in view of the position of Quebec and the manner in which this court was to be organized—in view of the fact that cases would be decided by it that had been decided by nine Quebec Judges—he considered it would be increasing the danger of their position in Quebec to abolish the last appeal to the highest tribunal of the Empire. For this reason he would vote against the amendment.

Mr. PALMER said he would like to see the decisions of questions of law in this country made final if it could be properly brought about. The proposition now made was one which should have been brought forward at an early stage so that hon. members could have had an opportunity of considering the questions it involved. It was an attempt made to go entirely beyond the power of legislation possessed by this Parliament. It was improper that the House should be called on to decide on the question raised in the amendment at that late hour and late period of the session, and such a proposal should have been made a part of the policy of the Government. If its object was to prevent the necessity of going with Civil appeals to England, he would do everything within his power to bring that about. But hon. members were attempting something which they could not achieve. By the law of the Imperial Parliament appeals in each Province could be carried through the Court of Appeal direct to the Privy Council, and he could not imagine how it was possible for the Dominion Parliament, although it might create an intermediate Court of Appeal by the British North America Act, to deprive suitors of the right of appeal to HER MAJESTY. He had endeavored to discover any way by which that difficulty could be overcome, but failed to ascertain any. But if the proposed provision were embodied in the Bill, it would, for the reason he had stated, utterly defeat the Bill. He apprehended that so long as Great Britain occupied its present position towards Canada that the Imperial authorities must decide with respect to legislation between an attempt of the Federal Parliament to breach upon the rights secured to the people of the respective Provinces, and also when the Local Legislatures sought to exercise powers that belonged to the Federal Parliament. The power of allowance and disallowance of Acts therefore belonged to the Imperial authorities, and if the measure now before the House was shown to deal with questions which were beyond its province, it would be disallowed. If an attempt were made to abolish appeals to the Privy Council in the manner indicated in the amendment, suitors would step over that Government and go direct to the QUEEN in Council. The effect of that would necessarily be to reduce the amount of business taken before our Supreme Court, and a large expense would thus unnecessarily have been imposed on the people. All thinking men were desirous of having a court common to all, in which justice would be fairly, justly and ably administered by Canadian Judges, and then the laws might be compared, and the time might come when the whole laws of the Dominion would be assimilated by selecting either the Civil Law or Common Law system, whichever might appear best suited to our wants. He entertained a strong opinion that while he was willing and anxious to see the Supreme Court constituted—and hon. ministers would admit that the Opposition had endeavored to make it a correct Bill—he held that the Government should submit a separate Bill to carry out the design of the amendment, if it were to be attempted to be carried out. He, therefore, submitted two points for the consideration of the House: first, that it was improper to submit an important subject of that character to the tail-end of the discussion, when no hon. members would be able to give it full and proper consideration; and second, that it was questionable whether it was expedient to endanger the Bill by submitting the amendment.

Mr. MOSS said that no one would doubt that this was a serious question—to be considered especially serious in view of the declaration made in reference to its effect upon the Bill. But he ventured to think

when the true position of the matter was considered, that this clause might be adopted without any danger to the Bill. The effect of the law, if this law was passed, he took it would be that any person who was aggrieved by the decision of the highest court in any Province could go directly to the Privy Council. That right would not be taken away if the proposed clause was passed. The suitor would still possess the right which he prized so much of going to the foot of the Throne. The whole effect of the clause which the House was asked to pass was this—that if the suitor chose to avail himself of the right to go to the court which was now being constituted, he would not thereafter have the right to go to the Privy Council, except HER MAJESTY exercises the prerogative upon special application being made. He quite agreed with this. He thought that this was an object to be desired. There were certainly appeals enough. There would be one too many if after an appeal had been taken from the highest court of the Province to the Supreme Court, there still remained an appeal to the Privy Council. If it could be done consistently with principle, and he believed it could be, a valuable object would be attained by preventing suitors carrying appeals any further than to the Supreme Court. In a word: if the suitor chose, he could go to the Privy Council, because he had the right of appeal from the highest court in the Province; but if he did not chose to go to the Privy Council, but preferred to go before the Judges of our own Supreme Court, he could not complain that by an Act of Parliament he was prevented from going further.

Hon. Mr. MACKENZIE desired to say a word before the amendment was put to the vote. He thought the hon. gentleman for St. John took an exaggerated view of the effect of the passage of the amendment, and if he thought the hon. member was at all correct in his statement he would not assuredly be a party to the adoption of any such principle in the Bill. He was unable, however, to see the matter in the same light as the hon. gentleman. He could not conceive that any person would imagine that because they desired to make the Supreme Court a final court of resort that it could be fairly or reasonably inferred that the Government was desirous, or that it could possibly have the effect of weakening the political connection existing between England and this country. No hon. member would desire that for one moment, and the mere fact that the hon. member for St. John had given expression to that idea would not influence any person's mind either in voting for or against the amendment. It should be voted upon on its merits. He (Mr. MACKENZIE) had heard several members of the bar in the course of the debate express their opinion that appeals to the Imperial Court at present were of comparatively little use from the want of knowledge on the part of the Judges, particularly in reference to the laws of Lower Canada. He had heard the opinion expressed by the highest legal authorities in the House that suitors presenting such appeals would have a much better chance of justice in our own Supreme Court than in an English one; and if this was the case the only object the amendment would have would be to lessen the amount of litigation that at present took place in the form of appeals to the Privy Council in England. As stated by the hon. member for West Toronto there would still remain as a final resort the Privy Council, by petitioning in the usual way if any one should desire to go there. He could not imagine that the passing of the amendment would have the effect some hon. members anticipated, and he did not himself at all fear that it would have that political influence that some appeared to dread. He had no doubt the hon. member for St. John was sincerely desirous of maintaining the connection which exists between England and Canada, but he was not more sincere in that desire than hon. members on the Government side of the House, and indeed, hon. gentlemen all over the House. In a question of that kind we must now be prepared to judge for ourselves what would suit our people best, so long as we do not trespass on any Imperial right, or deprive HER MAJESTY'S subjects in this country of a final resort to HER MAJESTY'S highest court. This would not be done by the amendment, and it would have the effect beyond all doubt, if the representations of legal gentlemen in the House were to be believed, of lessening the number of appeals, of reducing the cost of litigation, and preventing a great deal of trouble and difficulty incident to appeals to England at the present time.

The House then divided on the amendment which was adopted on the following division :—

YEAS :

Messieurs

Appleby,	Laflamme,
Archibald,	Laird,
Bain,	Lajoie,
Barthe,	Landerkin,
Béchard,	Langlois,
Bernier,	Laurier,
Bertram,	Macdonald (*Glengarry*),
Biggar,	Macdougall (*Elgin*),
Blackburn,	McDougall (*Renfrew*),
Blake,	McKay (*Colchester*),
Borden,	Mackenzie, (*Lambton*),
Borron,	Mackenzie (*Montreal*),
Bourassa,	Maclennan,
Bowman,	McCraney,
Brouse,	McIntyre,
Buell,	McIsaac,
Burk,	McLeod,
Cartwright,	Metcalfe,
Casey,	Mills,
Casgrain,	Moffat,
Cauchon,	Montplaisir,
Cheval,	Moss,
Church,	Murray,
Cockburn,	Norris,
Cook,	Oliver,
Costigan,	Paterson,
Coupal,	Pelletier,
Cunningham,	Pickard,
Cushing,	Pinsonneault,
Davies,	Pouliot,
Delorme,	Power,
De Veber,	Pozer,
Devlin,	Robillard,
Dymond,	Ross (*Durham*),
Fiset,	Ross (*Middlesex*),
Fleming,	Rouleau,
Forbes,	Scatcherd,
Fournier,	Schultz,
Galbraith,	Scriver,
Gaudet,	Shibley,
Geoffrion,	Sinclair,
Gibson,	Smith (*Peel*),
Gillies,	Smith (*Selkirk*),
Gillmor,	Smith (*Westmoreland*),
Gordon,	Snider,
Hagar,	Stirton,
Hall,	St. Jean,
Holton,	Taschereau,
Horton,	Thompson (*Haldimand*),
Hunington,	Tremblay,
Irving,	Trow,
Jetté,	Vail,
Jodoin,	Wallace (*Albert*),
Kerr,	Wood,
Killam,	Wright (*Pontiac*),
Kirk,	Young—112.

NAYS :

Messieurs

Baby,	Macmillan,
Bowell,	McCallum,
Brown,	McQuade,
Cameron (*Cardwell*),	Masson,
Caron,	Monteith,
Cimon,	Mousseau,
Cuthbert,	Ouimet,
Farrow,	Palmer,
Ferguson,	Perry,
Fraser,	Pope,
Gill,	Robitaille,
Haggart,	Ross (*Prince Edward*),
Hurteau,	Stephenson,
Jones (*Leeds*),	Thompson (*Cariboo*),
Kirkpatrick,	Thomson (*Welland*),
Lanthier,	Tupper,
Little,	Wallace (*Norfolk*),
Macdonald (*Cornwall*),	White,
Macdonald (*Kingston*),	Wilkes,
McDonald (*Cape Breton*),	Wright (*Ottawa*)—40.

The House went into committee, and having made the amendment, rose and reported the Bill.

On the motion for concurrence in the amendment.

Right Hon. Sir JOHN MACDONALD rose to enter once more his solemn protest against the incorporation of such an unhappy and essentially unfortunate principle in this Bill. He might be right and he might be wrong in that idea. He had given some time and labor to endeavor, in his humble way, to perfect this measure and he regretted to see its defeat insured by this amendment. Believing, as he did, that it involved far higher questions, he entered his solemn protest against it. He believed it would be hailed as a great triumph by the enemies of the Colonial connection. The Premier had stated, and stated truly, that he was as strongly in favor of the maintenance of that connection as any one in Canada. He (Sir JOHN) gave the hon. member credit for that, and if he believed differently he would have pursued a different course towards the hon. gentleman after he (Mr. MACKENZIE) came into power. One of the safeguards that we possessed for our connection with the Mother Country was having such an hon. gentleman as Premier in our country. He (Sir JOHN) believed the hon. member was as much taken by surprise by this amendment as himself (Sir JOHN) and only yielded to the suasion of the Minister of Justice. The amendment was a surprise to the House, and forced upon it with indecent haste. What was the object of having so many stages for every measure if at the last moment such an amendment could be sprung upon the House without debate when its importance was admitted by the Premier? He (Sir JOHN) might be mistaken in his feelings and in his prognostications, but he believed it would be

held in England as one of the evidences which were alleged to exist of a growing impatience in this country of the connection with the Mother Country. When the Minister of Justice introduced this Bill he said that while his own opinion was in favor of doing away with the right of appeal to the foot of the Throne, it would not form a portion of this measure. During the lengthened debates on the measure the hon. gentleman did not intimate until the last moment that such a principle would be incorporated in it. If he (Sir JOHN) had known of this he would not have taken any trouble with the measure, because he believed it would be abortive. Great as would be the benefit of a Supreme Court to the Dominion, it would not compensate for the injury that would be inflicted on the country in wounding the loyal sentiment of the people, and the feeling of uncertainty it would excite in England as to whether there was not an impatience in this country of even the semblance of Imperial authority. Those who disliked the colonial connection spoke of it as a chain, but it was a golden chain, and he, for one, was glad to wear the fetters. The House had not been given a fair opportunity to consider this amendment calmly, and he hoped, at the last moment, that the Premier, in whose loyalty and devotion to the colonial connection he (Sir JOHN) had every confidence, would find some means to avert this danger. The hon. member for West Toronto had contended that after all the appeal to the foot of the Throne amounted to nothing. The prerogative of the Crown, which this House could not interfere with, was saved, but the right of a British subject to appeal to the foot of the Throne was cut away in effect. The amendment provided, so far as it could, that the judgment of the Supreme Court should be final, and the moment it was rendered, then immediately, like the hammer of Thor, down came the judgment and execution, and away went the property of the party, who could then go to England and appeal to HER MAJESTY when it was too late to do anything. While we had the right of appeal to England under our law there was a delay of execution to allow an appeal to be taken. He felt that this amendment was an unfortunate mistake, and believed that it would be felt as a deep wound on the loyal sentiment of men in this country that the Premier would be the last to wish to wound, and that it would be held up in triumph by those who were no friends of the colonial connection.

Hon. Mr. MACKENZIE said the hon. gentleman appeared to be speaking under some unusual excitement. He could not conceive how the hon. gentleman could form such an exaggerated idea of the effect of this Bill. But this was not the first time that exaggerated predictions had been made which were never fulfilled. We all recollect the graphic and alarming description that Sir FRANCIS BOND HEAD gave of the municipal institutions of Upper Canada, when they were first established. He characterized them as Republics and prophesied that they would lead to a Republic in this country. He declared that these institutions, which were the germs of self-government in this country, were intended to pervert the loyalty of the people and drive them into another political channel. We all know that those prognostications meant nothing, and he was sure that the hon. gentleman's predictions to-night, as to the effect of this Bill would be equally in vain. It was evident that the sentiment of this House was strongly in favour of preventing that resort to England which the hon. gentleman seemed to think was the very essence of loyalty and devotion to the Throne. If that were so, he would ask the hon. gentleman whether all those who were prohibited from appealing to England by reason of the amount involved not being large enough were to be declared disloyal and unworthy of attention. Did loyalty depend upon whether a man's case was above or below $4,000 ?

Sir JOHN. A. MACDONALD—There is no such exception, except with regard to the Province of Quebec.

Mr. MOSS—I beg pardon, it is so in Ontario.

Hon. Mr. MACKENZIE said that in Ontario no case under $4,000 could be appealed to England. It was quite consistent with our loyalty to prevent all cases under $4,000 from going to England, but it was quite inconsistent with our loyalty to prevent those above $4,000 being appealed! Such was the illogical position of the hon. gentleman. He could not understand the extraordinary alarm

manifested by the hon. gentleman at the supposed effect of the passing of the resolution that had just been carried. When responsible government was first established in this country it was prophesied by many alarmists that it would inevitably lead to separation from England, but instead of that, the connection only became more intimate and cordial, in proportion as the people enjoyed the privileges of self-government. So it would be, he had no doubt, in this instance. Instead of this Bill having the effect anticipated by the hon. gentleman, he had no doubt that the public sentiment of this country would become still more attached to Great Britain, from the knowledge that they had a court which would be to our people what the new court in England was to British subjects there—a final court of resort. It was not unreasonable to expect that we had men here equally as capable of administering our laws as the Judges in England, and speaking from a political point of view, he did not think his hon. friend was at all justified in the alarming predictions he had indulged in.

Hon. Mr. FOURNIER said that when he introduced this Bill he was of opinion that it was very desirable to restrict appeals to the Privy Council. The right of that appeal had been very often abused. Wealthy men had made use of it to force their opponents to accept an unjust compromise. He could mention an instance where a man who had succeeded in the three courts of the Province of Quebec, the Judges in each being unanimous, and who was compelled by the adverse party to renounce his rights by a threat of taking the case to the Privy Council. He might mention other cases of the kind. It was true that when he introduced the Bill there was no provision in it for the abolition of appeals to England, and there was, also no provision in it providing that the execution of judgment should be stayed in cases of appeal to the Privy Council. Under the Bill, as he introduced it, the judgment of a court would be executed no matter whether an appeal from or not. It was evident, therefore, that it was the intention of the Government, by this Bill, to restrict as much as possible the exercise of the right of appeal to England. The discussion of the measure before the House had increased the feeling in favor of abolishing the appeal altogether. He protested against the idea that the effect of the Bill as amended would be to weaken the connection with the Mother Country. Had he believed that the amendment would be taken in that sense either in this country or in England, he would not have accepted it; but he did not believe that it would have any such effect. He deprecated the raising of the loyalty cry and hoped it would not be repeated; because there was no one in the House against whom such a cry could be raised with any shadow of truth or reason. As to the House having been taken by surprise in this matter, that could not be because the notice of this amendment had been on the paper for several days.

Mr. LAFLAMME said he was much surprised at the gush of loyalty which had been exhibited by the hon. member for Kingston because two suitors from the Province of Ontario, in the course of five years, had thought proper to bring their cases before the Privy Council and to pay the solicitors in England the sum of £1,200 sterling; and because perhaps five Lower Canadian suitors, amongst them probably four French Canadians, also took their cases to the Privy Council and paid a similar amount, therefore we would be breaking the connection with the Mother Country if we abolished appeal to England. It was really surprising to hear such utterances from rational men, especially in this case when the Royal prerogative would still permit of appeals being made to the foot of the Throne. Would it tend to sever the connection between Great Britain and Canada to establish a court in this country for final appeal, just as a court was established in England for the final appeal of cases arising in England? He could not understand it in that way, and he did not believe any reasonable man in the country would so understand it. But there was certainly something which might give rise to anxiety in the threat of the right hon. gentleman when he seemed almost to declare that this Bill would be vetoed on the other side of the water. He seemed to have the key to the councils of HER MAJESTY in Great Britain which nobody had as yet discovered on this side of the House. We all cherished the institutions of the Old Country, but we believed that we were entitled to the same privileges as were enjoyed by British subjects residing in the British Islands. He deprecated

the raising of the loyalty cry, and believed that the country would look at this question in a common sense way.

M. MOUSSEAU :—J'ai été étonné d'entendre l'hon. Ministre de la Justice dire que le public du Bas-Canada et du pays entier serait satisfait de voir que l'appel au Conseil Privé était aboli. L'abolition de l'appel au Conseil Privé n'a jamais été démandée par le Parlement Local ou par la Province de Québec. Pas une seule voix ne s'est élevée pour faire cette demande. Pas un seul député d'un parti ou l'autre n'en a jamais le désir. Les sources auxquelles on peut s'informer sont donc toutes adverses à cette prétention de l'hon. membre que la Province de Québec a demandé et accueillera avec joie l'abolition de l'appel au Conseil Privé. Je pars de là pour dire que ce Parlement n'a pas le droit de dire au Bas-Canada qu'il va le priver de son droit d'appel au Conseil Privé, sans son consentement. Le Bas-Canada possède ce droit de trois manières 1° c'est un droit inhérent au sujet anglais ; 2° c'est un droit garanti par la législation impériale ; 3° c'est un droit garanti au Bas-Canada par un statut passé en '41 et au Haut-Canada par un statut passé en '49. Ce droit est devenu une partie de notre Code, qui pourrait par ses dispositions au montant suffisant pour interjeter appel et à la procédure. Cet amendement n'est rien moins que la révocation d'un grand nombre des articles de notre procédure civile. Nous n'avons pas ce droit là. Bien plus, d'après la Clause 101 sur laquelle ou se fonde pour nous imposer cette mauvaise loi de la Cour Suprême, le Gouvernement a bien le droit d'établir cette cour et des cours de justice, mais il n'a pas le droit d'abolir aucun tribunal existant. Je répèterai donc avec l'hon. député de Kingston que le droit d'appel au Conseil Privé est un droit inhérent au sujet britannique et que personne ne s'en plaint, sauf quelques plaideurs malheureux. Il est tout-à-fait en dehors de notre compétence d'abolir l'appel au Conseil Privé, et je proteste contre la manière dont on nous enlève un des droits du sujet britannique.

The amendment was lost on division.

Mr. MOUSSEAU moved, seconded by Mr. CIMON :—That the said Bill be not now read a third time, but that it be referred back to a Committee of this House, with instructions to amend it to the following effect :—

"The Supreme Court shall consist of a Chief Justice who shall be called 'The High Chancellor of Canada,' and of two Judges of each of the Provinces in the Dominion, namely, the Chief Justice and the Chancellor of the Province of Ontario ; the Chief Justice of the Court of Queen's Bench and the Chief Justice of the Superior Court of the Province of Quebec ; the Chief Justice and the Puisne Judge first in rank by seniority of appointment of the highest Court of each of the other Provinces.

"The High Chancellor and one of the said two Judges of each of the said Provinces shall constitute a quorum to take cognizance of a case, matter, or thing with reference to which jurisdiction is given to the said Supreme Court.

"The jurisdiction of the said Supreme Court shall extend to the Constitutional question indicated in sections 55, 56 and 57 of the said Bill and to those in relation to which any Province may give to the said Court cognizance and jurisdiction in the manner prescribed by Section 58 of this Act.

"The said Supreme Court shall also have cognizance of appeals in matters of Controverted Elections, in cases and in the manner provided for by Section 50 of this Act," and in all cases relating to the revenue, and other matters set forth in Sections 63 and 64 of the said Bill, adjudicated upon by the Courts of the several Provinces of Canada.

"The jurisdiction of the said Supreme Court shall extend only to the matters aforesaid and to no other matter or thing whatsoever.

"The said Supreme Court shall hold one Term each year, and the beginning and duration thereof shall be determined by an Order of the Governor in Council and published in the *Canada Gazette*.

"The said Supreme Court may further adjourn from time to time, and be convened in the manner directed by Section 15 of this Act.

And that the Courts of the several Provinces of Canada having both original and appellate jurisdiction (in the same manner as those of Manitoba and British Columbia) in cases relating to the Revenue and other matters set forth in Sections 63 and 64 of the said Bill, the said Sections 63 and 64, the Section 72, and all the words after 'Supreme Court of Canada' in the first section of the said Bill, and all provisions relating thereto, be struck out ; that all and every thing in the said Bill contrary to the foregoing be struck out, and the whole Bill so changed as to accord with this amendment."

M. GAUDET—M. L'ORATEUR, je demande à cette honorable Chambre de me permettre de dire quelques mots à ce sujet. Jusqu'à présent, je n'ai eu en vue que le côté économique de la question ; les hons. membres ont bien traité la question au point de vue légal, mais on a semblé oublier que c'était le peuple qui payait les frais de cette organisation. Les dépenses, sous ce Gouvernement, augmentent tous les jours de plus en plus. On évalue les

dépenses de cette cour à $75,000.00 ; bientôt elles seront de $100,000.00. Les hons. messieurs qui sont maintenant du côté ministériel, quand ils étaient dans l'opposition, criaient à l'économie. Etaient-ils sincères ? Jugez-en, M. l'ORATEUR, par le fait que, dans un an, ils ont dépensé pour le service de cette Chambre, $34,000.00 de plus que du temps des conservateurs. En 1872, dans la grande ville de Montréal, nos rouges ont formé un parti prétendu nouveau, qu'ils ont appelé " Le Parti National."

M. TREMBLAY.— Question ! Question ! !

M. GAUDET.— L'hon. membre pour Charlevoix me laissera-t-il parler ? Il me semble qu'il pourrait, dans cette Chambre, nous dispenser des sons harmonieux de sa voix. Eh bien ! M. l'ORATEUR, ce parti national a inscrit dans son programme qu'il devait diminuer le nombre des ministres. Si je regarde sur les bancs ministériels, il me semble que j'en compte un bon nombre, si je vais au Sénat, j'y retrouve la balance, et je compte treize ministres. Un autre article de ce programme était de réduire le salaire de l'Orateur et des membres de cette Chambre. Eh bien ! M. l'ORATEUR, vous n'avez rien à craindre ; vous retirerez, comme moi, jusqu'à la dernière piastre de votre salaire. Tout devrait nous porter à être économes, et cependant les dépenses augmentent. Le parti nationard s'est fondu avec le parti rouge et le parti grit, et, comme le cri constant de ceux qui composaient ces différents partis, était l'économie, on s'attendait, qu'en unissant leurs forces, ces partis mettraient leurs projets à exécution, et que les dépenses diminueraient. Cependant rien n'a été fait dans ce sens ; au contraire, on a mis de côté les principes d'économie. J'ai entendu discuter la légalité de cette cour ; cela appartient aux avocats et c'est bien. Mais, comme ce sont les comtés ruraux qui paient en grande partie les taxes de ce pays, ils ont droit aussi d'être entendus sur ce sujet. Je n'ai pas oublié les trois millions de taxes nouvelles imposées l'année dernière, sans nécessité, et je ne voudrais pas cette année employer cet argent pour encourager les fabricants de chapeaux à trois cornes. Si, encore, il n'y avait que le chapeau à acheter, çà ne couterait pas chère ; mais ce sont ceux qui les portent qui coûtent le plus. Le législation de cette année est féconde en situations. L'organisation du Nord Ouest, l'Acte de Faillite, la Cour Supreme, l'Acte des Mésureurs de Bois, l'Acte des Poids et Mesures, —toutes ces lois donnent quelques cents situations. Ainsi, il doit y en avoir assez pour satisfaire tous ceux qui sont en quête de places ; ou bien il y a plus de " demandants" que je pensais. L'hon. membre de Montmagny, dans son discours, nous a dit qu'il était question de cette cour depuis 1869, et que le discours du trône en parlait alors. Mais pourquoi n'a-t-elle pas été adoptée alors ? C'est parce que les conservateurs du Bas-Canada n'en voulait pas, et, comme ils exerçaient une influence, ils ont empêché leur Gouvernement de la faire passer. Mais le Gouvernement actuel comptant sur une majorité plus docile, il a résolu d'établir cette cour, et aussi il y a réussi.

M. TREMBLAY. — Question ! question ! ! question ! ! !

M. GAUDET.—L'hon. membre pour Charlevoix voudra-t-il se tenir tranquille ! En cherchant à m'empêcher de parler, voudrait-il nous faire oublier la honte qu'il nous a faite dans un autre législature, où on lui a prouvé qu'il aurait fait une déclaration sous serment qu'il était " pauvre et nécessiteux," et cela pour avoir quelques piastres comme témoin dans une cause de Sa Majesté. Il a été dit que quand l'hon. membre se levait, tout le monde " tremblait ; " quant à moi, quoiqu'il porte le nom de " Tremblay," il ne me fait pas " trembler." Si j'ai voté pour empêcher l'appel en Angleterre, c'était en vue de l'économie.

The amendment was lost on a division.

Mr. LAFLAMME said that as the Supreme Court was intended to serve as a substitute for the Privy Council in cases of Canadian appeal cases, and as appeals could not be taken from Ontario in cases where the amount was not less than £1,000 and in Quebec not less than £500; appeals to the Supreme Court should not lie for sums less than $2,000. He therefore moved :—" That the Bill be not read the third time, but that it be referred back to the Committee of the Whole with instructions to amend the seventeenth section by substituting $2,000 for $1,000."

Mr. MACDONNELL (Inverness) thought the amount should be retained at $1,000.

Mr. BLAKE explained that the provision only had reference to Quebec.

The amendment was carried, and the House went into Committee, Mr. CASGRAIN in the chair.

The Bill was reported with amendments, which were read and concurred in.

Mr. MOUSSEAU moved that the Bill be referred back to Committee of the Whole with instructions to substitute for section 83 the following :—" This Act or any part thereof shall take effect and be exercised only at and after such time or times as shall be appointed by proclamation under order of the Governor in Council, but no such proclamation shall take place nor be issued in any case unless and until this Act is adopted and approved of by the Legislature of each Province of the Dominion."

The amendment was lost on a division.

Mr. MILLS said it seemed to him that while this House was extending its authority on one side, it was withdrawing it on the other. Under the British North America Act this Parliament had a right to legislate on the subjects of shipping and navigation. Now, it seemed to him that this embraced every civil matter over which the ordinary Courts of Admiralty had jurisdiction. This House had a right to do all that a people in time of peace could do to extend and regulate commerce by legislation. If this Parliament were to constitute courts for the purpose of giving effect to our Maritime commercial legislation, and to provide for the settlement of disputes arising in connection with our shipping interests, it would be, in effect, establishing courts of admiralty jurisdiction, and though our Government had not yet taken any steps for establishing courts of original jurisdiction in admiralty, there could be no doubt, whatever, that they had the power. Before the British North America Act was passed, the Merchants' Shipping Act of Great Britain, was in force in this country. After that time a new Act was passed in Great Britain, which was not extended to this country—the old Act remaining in force in Canada as a Canadian Act, until superseded by another one enacted here. It would be very unwise on our part to deny that we possessed such powers as had been actually conferred upon us by the British North America Act. He believed that this Parliament should assume that they possessed them, and that they had the right to establish a court for the administration of such laws. We could recognise the Courts of Vice-Admiralty established here by the Imperial authorities as Courts of original jurisdiction ; but we could, also, very properly, in the Bill before the House, give the Supreme Court appelate jurisdiction over these courts. With a view to giving effect to this opinion he proposed putting a resolution in the hands of Mr. SPEAKER. If it did not meet with the sanction of the Minister of Justice and the House, he did not desire to press it ; because he did not wish, by an adverse vote to have the declaration made that we did not believe we possessed the right conferred upon us by the British North America Act : he did not want to prejudice our rights by such a result. He moved " That the Bill be referred back to the Committee of the Whole to be so amended as to confer upon the Supreme Court appelate jurisdiction in Admiralty cases."

Hon. Mr. FOURNIER said that the hon. member had inquired at the beginning of the session whether the Government were taking any steps towards securing the necessary legislation to give to this Parliament the power of extending the Admiralty Courts to the inland waters of the Dominion. The House was informed, on that occasion, that correspondence had been going on for five or six months past in relation to that subject, and that it was not yet closed. The House was also informed that the Government had asked legislation from the Imperial Parliament in relation to the subject. He (Mr. FOURNIER) did not think it would be proper, now, for this House to decide a question which the Government had thought proper to submit to the consideration of the Imperial Parliament. In the state the question was at the present time, it would not be proper to press this motion, and the hon. member for Bothwell would best serve his purpose if he would withdraw it. It was dealing with a delicate question in a very summary way.

Sir JOHN MACDONALD said this Parliament could not oust the Imperial Admiralty Courts of their jurisdiction. They were Vice-Admiralty Courts, and had the right of appeal to the High Court of Admiralty in England. This House might propose for concurrent jurisdiction over vessels within three miles of the

coast, but not beyond the limits of the Dominion. He had grave doubts whether any courts this House could establish in any way by a Dominion Act, and under the appointment of the Great Seal of Canada, could deal with this question. This subject was worthy of all consideration, and he had no doubt the Minister of Justice would give it that consideration between now and next session. With regard to the navigation of the lakes, it was a question whether this Parliament had the right of dealing with ships on the Upper Lakes. He was afraid Ontario would be very apt to advance a claim on the subject and assert that they came within the jurisdiction of Ontario. This was also a subject of very great importance, and no doubt the hon. gentleman, having called the attention of the House and the Government to the matter, would be satisfied to drop his motion.

Mr. MILLS consented to withdraw the motion and trusted the Government would give him an opportunity of moving a resolution on the subject before the close of the session. He thought we should maintain the rights that were conferred upon us by the British America Act, without going to England to ask whether we possessed them or not.

The motion was withdrawn.

Mr. GORDON moved the previous question.

Mr. IRVING thought it was unfair to shut off all amendments in view of the rapid manner in which the Bill passed through the committee.

Sir JOHN MACDONALD said this motion was in effect introducing a system of *cloture*.

Hon. Mr. MACKENZIE hoped the motion would be withdrawn.

In accordance with this request the motion was withdrawn.

Mr. MOUSSEAU moved in amendment: That this Bill be not now read the third time, but that it be referred back to the Committee of the Whole with instructions to amend it by providing as follows:—This Act or any part thereof shall take effect and be exercised only and after such time or times as shall be appointed by proclamation under order of Governor in Council, but in so far as this Act concerns the Province of Quebec, no such proclamation shall take effect unless and till this Act is adopted and approved by the Legislature of the Province of Quebec as to the appellate jurisdiction of the Supreme Court in cases relating to property and civil rights and civil procedure in the said Province of Quebec.

M. CIMON :—J'ai opposé le Bill de la Cour Suprême à l'encontre du Gouvernement et de certains messieurs pro-éminents de ce côté-ci de la Chambre, et je suis plus opposé à cette loi ce soir que je ne l'étais, depuis qu'on nous a ôté le droit d'en appeler au Conseil Privé—ce qui rendra cette loi beaucoup plus funeste aux lois civiles de Québec. C'est ce qu'ont admis les députés de Jacques Cartier et d'Arthabaska en mettant sur le papier un amendement par lequel ils devaient proposer qu'il n'y eut pas droit d'appel à la Cour Suprême dans le cas où la Cour d'Appel de Québec aurait unanimement confirmé le jugement de la Cour Supérieure. Cependant ces messieurs ne parlent plus de cet amendement. Il me semble que puisqu'on n'a pas confiance dans la Cour Suprême on ne devrait pas nous priver de pouvoir aller de l'autre côté de l'océan pour obtenir la justice que l'on pourrait obtenir ici. J'en appelle aux députés des autres provinces et les prie d'accorder à nos lois civiles la protection dont elles ont toujours join sous le drapeau anglais.

The House divided on the amendment with the following result : Yeas 20, nays 106.

YEAS :

Messeiurs.

Baby,	Jones (*Leeds*),
Béchard,	McDonald (*CapeBreton*),
Bernier,	Masson,
Caron,	Montplaiser,
Cimon,	Mousseau,
Coupal,	Ouimet,
Cuthbert,	Pinsonneault,
Gaudet,	Rouleau,
Gill,	Taschereau,
Hurteau,	Wright (*Ottawa*)—20.

NAYS :

Messieurs.

Aylmer,	Macdonald (*Cornwall*),
Bain,	Macdonald (*Glengarry*)
Barthe,	Macdonald (*Kingston*),
Biggar,	MacDonnell (*Inverness*),
Blackburn,	McDougall (*Elgin*),
Blake,	McDougall (*Renfrew*)
Bowell,	MacKay (*Colchester*),
Bowman,	Mackenzie (*Lambton*),
Brouse,	Maclennan,
Brown,	McCallum,

Buell,	McCraney,
Burk,	McIntyre,
Burpee (*St. John*),	Metcalfe,
Cartwright,	Mills,
Casey,	Mitchell,
Casgrain,	Monteith,
Cauchon,	Moss,
Cheval,	Murray,
Church,	Norris,
Cockburn,	Oliver,
Cook,	Orton,
Cushing,	Paterson,
Davies,	Pelletier,
Delorme,	Pickard,
Dymond,	Pope,
Farrow,	Pouliot,
Ferguson,	Pozer,
Fiset,	Robillard,
Fleming,	Ross (*Durham*),
Forbes,	Ross (*Middlesex*),
Fournier,	Ross (*Prince Edward*),
Fraser,	Scatcherd,
Fréchette,	Schultz,
Galbraith,	Scriver,
Geoffrion,	Sinclair,
Gillies,	Skinner,
Gillmor,	Smith (*Peel*),
Gordon,	Smith (*Selkirk*)
Hagar,	Snider,
Higginbotham,	Stephenson,
Holton,	Stirton,
Horton,	St. Jean,
Huntington,	Thompson (*Haldimand*),
Irving,	Thomson (*Welland*),
Jetté,	Tremblay,
Jodoin,	Trow,
Kerr,	Tupper,
Kirkpatrick,	Vail,
Laflamme,	Wallace (*Norfolk*),
Laird,	White,
Landerkin,	Wood,
Langlois,	Wright (*Pontiac*),
Laurier,	Young—106.

The Bill was then read a third time and passed.

SUPPLY.

Hon. Mr. CARTWRIGHT moved that the SPEAKER do leave the chair for the House to go into Committee of Supply.

Hon. Mr. HOLTON said he proposed putting a motion into the hands of the SPEAKER with a view of placing on record his own opinion on a very important subject, for which no other opportunity would offer this session. He begged to move, seconded by Mr. MACDOUGALL (East Elgin)—

"That the SPEAKER do not now leave the chair, but it be resolved that in the opinion of this House it is desirable that steps should be taken to ascertain the feasibility and cost of adapting the Welland Canal to vessels drawing fourteen feet of water before the Government is irrevocably committed to plans involving a less depth."

His reason for offering this motion required only a few words of explanation. Preparation for the enlargement of the Welland Canal was going on and we had had a good deal of discussion upon the propriety of having a greater depth than that contemplated by the Government. He thought the balance of argument was in favor of a greater depth. Of course his hon. friend understood perfectly well that this was not put as a motion of want of confidence. They had contended too long when on the other side for the privilege of putting such motions in accordance with English practice, with the distinct understanding that they were not to be considered as motions of want of confidence, or as in any way tending to thwart the policy of the Government, to render it necessary that he should offer one word in explanation of his position. As the question had already been very fully discussed, he would not detain the House, but would place his motion in the SPEAKER'S hands.

Hon. Mr. TUPPER said the importance of obtaining a depth of 14 feet of water in the Welland Canal could scarcely be over estimated, and it was apparent that that work could be done with much less cost now while the work was going on. At this late period of the session, he would imitate the admirable brevity of the mover of this motion; but he wished to take this opportunity of expressing his great anxiety to see the object attained if possible, and to add his opinion to that already expressed of the great importance of making the fullest examination into this matter, with a view to carrying out the work referred to, if it was at all practicable.

Hon. Mr. CAUCHON said if the hon. gentleman had made his motion more general, he might perhaps have supported it. If it was necessary to make this examination with regard to the Welland Canal, it was also necessary with regard to the St. Lawrence Canals.

Mr. KIRKPATRICK said he did not rise so much to give his opinion upon this subject, as that was pretty well known, but merely to say that he cordially approved of the motion of the hon. member for Chateauguay. With the permission of the House he would read an extract from a letter which he had received, without any solicitation on his part, since the last discussion on this subject, from a

gentleman of very high authority in this country, Mr. SHANLY. In this letter Mr. SHANLY said:

"The Welland Canal never can perform its "proper functions so long as larger vessels "can put in at Buffalo than can come down "to Kingston, and it seems really too bad, "with our long canal experience in Canada, "the 'improvements' now entered upon should "be deliberately planned on an impefect and "insufficient model. I have always contended "that until the foot of Lake Ontario be made "for Montreal what the foot of Lake Erie is "to New York—the great transhipping point "from lake to canal (and river) craft—we "never will be in a position to compete on "equal terms—where we should be able to do "so on much better terms—with Buffalo."

He considered it right to read this letter to the House, coming as it did from an engineer of so high a standing as Mr. SHANLY. In answer to a deputation which waited upon the Minister of Public Works recently on this subject, that hon. gentleman had stated that he thought it would be better to proceed with the contemplated enlargement at present, and afterwards, if it was thought desirable, to deepen the canal to fourteen feet. He (Mr. KIRKPATRICK) wished specially to point out one reason why such a course was undesirable. It would have the effect of paralyzing the shipping interests. Ship-builders and ship-owners would not know what class of vessels to build or buy, and for the next five years or so this uncertainty would have a very bad effect upon our shipping. If it was found advisable to proceed with the work of getting fourteen feet he hoped there would be no delay. If the opinion of the House was expressed in the direction of this motion he would be quite satisfied to leave this matter in the hands of the Government.

Hon. Mr. MACKENZIE said he hoped it would not be found necessary to have a discussion upon this question again, as they were anxious to get on with the business. He understood the object of the hon. gentleman was to place his motion on record. That could be done by allowing it to be lost on division, he (Mr. MACKENZIE) giving the House the assurance that the Government were taking steps and would take steps during next season to ascertain the cost of deepening both the Welland, and the St. Lawrence Canals. He hoped that assurance would be enough in the meantime, and if the motion was lost upon a division it would go upon the records.

Mr. NORRIS said he was pleased to see that the petitions pouring in from all parts of the country on this subject had produced their effect, and he was sure the country at large would have the fullest confidence in what the Minister of Public Works had said to-night; and he was quite satisfied that it would be found that it was quite practicable to procure 14 feet of water in the Welland Canal. He agreed with the hon. member for Frontenac that if this was to be done at all it should be done now so as not only to prevent expense, but obviate the necessity of different classes of vessels having to be built at different periods.

Hon. Mr. TUPPER asked why it was necessary that this motion should be lost on a division. He understood the First Minister quite approved of it, and if passed would strengthen the hands of the Government in dealing with this question. It would be as well therefore to allow it to pass.

Hon. Mr. MACKENZIE said it was not usual, and it would be inconvenient when the Government practically complied with what was understood to be the view of the House to bind them by formal directions.

Hon. Mr. TUPPER observed that he only wished to draw the attention of the First Minister to the difficulty that would arise by the Government negativing this resolution, and then going on with the work. It would be almost better to withdraw the resolution than to have it lost on a division because that would seem to erect a barrier in the way of going on with the work.

Mr. JONES (Leeds) said this question should not be regarded as a party one, and therefore he saw no reason why the sense of the House should not be taken on it.

Mr. McCALLUM pointed out that it was very important that the House should pass upon this question now, because if they delayed till next session a great deal of the work would be done which would have to be gone over again if it was then decided to have fourteen feet.

Mr. YOUNG said he had expressed an opinion favourable to the deepening of the Welland Canal to fourteen feet, and

he thought those who were favourable to that view should be content with the statement of the First Minister. So far as he was concerned, he was not prepared to tie the hands of the Government before they fully examined into the question, and those who took an interest in this work would, he thought, consult its best interests by accepting the assurance of the First Minister.

Mr. WOOD expressed his gratification that the First Minister had promised to obtain full information not only in reference to the deepening of the Welland Canal, but the St. Lawrence canals also.

The amendment was then lost on a division.

Mr. KIRKPATRICK rose to move a resolution which he had had upon the notice paper for some time.

Hon. Mr. MACKENZIE said it was out of order to do so.

Mr. KIRKPATRICK quoted from May in support of his position.

Mr. SPEAKER read an extract from May to the effect that an amendment to the motion to go into Committee of Supply having once been negatived no other amendment could be moved.

The House went into Committee of Supply—Mr. SCATCHERD in the chair.

Hon. Mr. CARTWRIGHT said that the large item of $800,000 which appeared in the supplementary estimates was for the change of the guage of the Intercolonial Railway, but inasmuch as hon. members were cognizant of the circumstances under which that expenditure became necessary they would not be disposed to object to it, although they might regret that the change had not been effected at an earlier period. The greater proportion of the remaining amount was made up of unexpended balances brought forward by Order in Council in the usual manner. They had not usually been brought forward in the Supplementary Estimates, but last year and on the present occasion, it was deemed best to pursue this course, and thereby more fully comply with the law. Exclusive of the change of guage and the unexpended balances, the principal charges, &c., consisted of expenditures incurred in connection with the expedition of the Mounted Police. When the House remembered that that force travelled 1,000 miles through an almost desert country, and that the greater number had to return, they would easily understand that a very considerable expenditure was necessarily incurred. A large portion of the amount was expended for transport, and the purchase of stores, which were deposited at a point near Swamp River, and still remained in possession of the Government. Another large expenditure was that connected with the provision of winter quarters at the Rocky Mountains, together with the construction of barracks at Fort Pelly. Other leading items were amounts paid for dredges for Prince Edward Island, taken from the Prince Edward Island Government in accordance with the terms of Union, and for repairs to the steamers "Napoleon III." and "Sir James Douglas." There were also certain additional allowances to British Columbia, which hon. members would observe were about equal to those which the House found it necessary to vote for the year 1875-6.

He moved the adoption of the first item.

The first item was passed without discussion.

On item, No. 2, for Mounted Police in Manitoba, $126,910,

Hon. Mr. TUPPER asked what was the number of the force, and the estimated annual charge when the force should be fairly established.

Hon. Mr. CARTWRIGHT replied the force was fixed at 300 men. The expenditure, as near as they could estimate it, excluding the cost of the expedition and winter quarters, would be some $200,000.

Mr. THOMPSON (Haldimand) asked how many guides and ox-drivers there were attached to the force, and what their pay was.

Hon. Mr. CARTWRIGHT said that about 200 of those men went up with the expedition, but the exact rate of wages paid them he did not at present know. He would, however, be glad to furnish details before concurrence was taken.

Hon. Mr. MITCHELL asked if the $25,000 placed in the estimates for the erection of winter quarters at the Rocky Mountains, were expended as far west as that point, or did that sum cover expenditures between Manitoba and the Rocky Mountains.

Hon. Mr. CARTWRIGHT said the structures in which this sum was expended were somewhere near the Belly River, at

a spot where Assistant Commissioner McLeod had a force of ninety men.

Hon. Mr. MITCHELL—What is the number of men you propose to retain there?

Hon. Mr. CARTWRIGHT —Somewhere between 80 and 90.

Mr. SCHULTZ objected to these items being placed under the head "Manitoba," when they should be placed under that of the "North-West Territories," a fact which was calculated to mislead, and which he believed had misled the country in regard to the amount expended in the Province of Manitoba. It was generally supposed in the House and the country that Manitoba had been drawing large sums of money from the Dominion Treasury, while in reality it had received a very small sum indeed in proportion to what he believed it was legitimately entitled to.

Hon. Mr. MACKENZIE said the greater portion of the amount was expended in Manitoba the principle part of the supplies having been bought there.

Mr. SCHULTZ did not think it would be found on inquiry that a great quantity of stores had been purchased in Manitoba. He did not believe that one single dollar's worth of the goods set down in the Esti mates was purchased in that Province or that Manitoba derived the slightest benefit from the expenditure.

Hon. Mr. TUPPER denied that the fact of stores being purchased in Manitoba, if they were so purchased, was any justification for placing the expenditure under the head of that Province, any more than if the stores had been purchased in Toronto, it would have been correct to have charged the expenditure under the head of "Toronto."

Hon. Mr. MACKENZIE said the force were quartered in Manitoba during the greater portion of the winter.

Hon. Mr. TUPPER said the point made by the hon. member for Lisgar was correctly taken, and it was natural that he should not desire that amounts expended on the minor Provinces of the Dominion should appear larger than the amount actually received by them. The Mounted Police was not organized for service in Manitoba. They might make their winter quarters there, but that did not constitute it a Manitoba force, although, too, it were true that their services might be used in some portions of that Province to a limited extent. The force was organized for duty in the North-West Territories, and therefore the charge ought be to made under that head.

Mr. SCHULTZ said that the fact of the Mounted Police coming to Manitoba in the winter was a mere accident, and was not contemplated either by the Government or the Commander of the force.

Hon. Mr. MACKENZIE agreed to strike out the objectionable word "Manitoba."

The item was then passed.

On item 3, $15,000—Penitentiaries, maintenance of prisoners, Manitoba, British Columbia and Prince Edward Island.

Hon. Mr. TUPPER asked for an explanation of the item.

Hon. Mr. CARTWRIGHT said both the number of prisoners and the expenses had increased over what they were in 1874. The public accounts showed that the expenditure for Penitentiaries had assumed considerable proportions. The largest outlay had been in British Columbia where the comparative expenditure for maintaining the inmates of the prison, was nearly four times greater than that in any other Province.

Mr. BUNSTER declared that there were very few inmates of Penitentiaries in British Columbia, and that they were maintained as cheaply as in any other Province.

Mr. SCHULTZ asked what arrangements, if any, had been made with the Manitoba Government in respect to the maintenance of prisoners in that Province.

Hon. Mr. CARTWRIGHT said the Government were obliged to pay for the maintenance of prisoners, the money being re-couped by the Provincial authorities as far as possible.

Mr. SCHULTZ asked what check the Government had on the expenditure, adding that he believed that the Penitentiary in Manitoba, which was an institution under the control of the Local Government, had been grossly mismanaged in the matter of the purchase of its supplies. If the Government had passed the accounts from that Penitentiary without any sufficient check as to their correctness, then there would be an objection to the passing of the item.

Hon. Mr. CARTWRIGHT said the vouchers were checked by the assistant of the Receiver General in Manitoba, Mr.

McMICKEN, and by the officers of the deparment. If the hon. member had any specific charge to make, or desired any special information, he would cause the papers and details to be brought down. The total expenditure in the Province had not been quite so heavy, in proportion, as in some other Provinces, but still it had amounted to a considerable sum. He could give the hon. gentleman details on concurrence if they were desired.

Mr. SCHULTZ—I desire them very much.

The item was passed.

On item 4, $21,105 for St. Vincent-de-Paul Penitentiary.

Mr. KIRKPATRICK asked if the Government intended to carry out the policy of building tenements to be occupied as dwellings by guards at all penitentiaries.

Hon. Mr. MACKENZIE—Certainly not.

Mr. KIRKPATRICK—Why were they built in this case?

Hon. Mr. MACKENZIE—It was necessary to get some cottages erected, as accommodation for the jailors could not be found there, and on that representation the money was spent last spring.

The item was passed.

On item 5, $2,000 for Library of Parliament (additional).

Mr. THOMPSON (Haldimand) asked when the Library building would be ready for occupation, and if $2,000 would complete it.

Hon. Mr. CARTWRIGHT said the amount of the item was for books; he only agreed that such an amount would complete the building.

Mr. WRIGHT (Pontiac) inquired whether arrangements could not be made whereby the Library building could be used as the Chamber of the House of Commons and the Library be transferred to the present chamber.

Hon. Mr. CARTWRIGHT said that such a change could not be made without demolishing the library and erecting a new one.

Hon. Mr. MACKENZIE reminded the House that the Senate would have one-half of the Library building, and if the suggestion of the hon. member for Pontiac were carried out, the Senate would occupy one side of the House.

On item 7, to pay expenses in connection with the revision of electoral lists, $4,000,

Sir JOHN MACDONALD asked what this House had to do with the revision of the electoral lists? That was the business of the Local Government.

Hon. Mr. CARTWRIGHT said information on the subject would be furnished on concurrence.

The item was allowed to stand.

On item 8, towards the purchase of ballot boxes, $2,250,

Hon. Mr. CARTWRIGHT explained that the cost of these ballot boxes was divided with the Local Governments, and they could be used in elections for the Local Legislatures as well as for the Dominion Parliament.

The item was passed.

Items 9, 10 and 11 were passed.

On the items under the head of Militia, amounting to $165,000,

Mr. DEVLIN expressed surprise that no provision was made for the payment of the volunteers who were called out during an election in Montreal some three or four years ago, by two magistrates residing in that city. The matter had been brought under the notice of the Minister of Militia, but no compensation was allowed to the men for their services. Neglect of this kind was calculated to injure very materially the *esprit de corps* of the volunteers. The Minister of Militia should give some reason for not paying their demand.

Mr. BOWELL asked why the local authorities should not pay the moneys.

Mr. DEVLIN said the corporation of Montreal had very properly refused to do so, as they had nothing to do with calling out the men.

Mr. BOWELL wished to know upon what legal advice the corporation acted in this matter, and hon. member for Montreal Centre was not that adviser.

Hon. Mr. HOLTON said the hon. member for Montreal Centre did not become the legal adviser of the corporation of Montreal until after the occasion referred to. The volunteers were ordered out very improperly in an election in which Sir GEO. CARTIER was a candidate. They were ordered out by two partisan magistrates without the authority of the Mayor or the advice of the city attorney

of the day. The men went out on authority which they considered legal and earned their money. They should be paid either by the city of Montreal or by the Government, whose orders they were bound to obey. As to the validity of their claim there could be no doubt.

Sir JOHN MACDONALD said there was every doubt on the subject. The law was very plain and precise on the subject. In certain specified cases, and by command of certain persons prescribed by the law to call them out, the men were required to turn out. It would not do for the hon. gentleman to say that the men did not know the law. They should know it. They were an armed force, and it was of very great consequence that the militia should turn out for no one who had not the proper authority to call them out. Their officers, at all events, should see that they were not called out except by the proper authorities.

Hon. Mr. VAIL said soldiers were bound to obey every commanding officer. He had looked into this matter, at the earnest request of the hon. member for Montreal Centre, and at first took a very favorable view of it, but found that his hands were tied by the action of his predecessor in the former Government, and consequently he could not move in the case at all. The men who turned out and performed their duties should be paid by somebody. There was one reason why the Government should not pay them, and it was this: it would establish a precedent for further demands upon the treasury; but there was no question the money should be paid by somebody. It was a matter between the city authorities and the commanding officer.

Mr. DEVLIN asked if the Government absolutely refused to pay the men.

Hon. Mr. MACKENZIE said the Government had no right or power to pay these men under the law. That was quite clear, and the hon. gentleman must know it.

Sir JOHN MACDONALD said the Minister of Militia was altogether mistaken in supposing that volunteers were bound to obey the commanding officer, whether they were legally or illegally called out. For instance, if they were called out to serve sixteen days instead of eight, they could, at the end of eight days' service return to their homes. They were a civic force, and if they were called out against the law, and should fire upon and kill men in violation of the law, they would be placed upon trial for murder. The Minister of Militia would bring the volunteers into a great deal of difficulty, and cause much trouble if he held that they were bound to obey their officers' orders whether legal or illegal.

Hon. Mr. MACKENZIE said there could be no doubt the hon. member for Kingston had stated the law correctly. What the Minister of Militia had endeavored to point out was that the rank and file could hardly be supposed to know whether they were called out in accordance with law or not.

Mr. WRIGHT (Pontiac) said ignorance in the law was no excuse. Under any circumstances the commissioned officers of the volunteers ought, at all events, to have sufficient knowledge of the law to know when they could legally call out their men.

Mr. BOWELL said he did not wish it to be understood that he objected to the men being paid, particularly as they had been called out for service. The moment they were called out they were put under the Queen's Regulations, and were subjected to all the penalties imposed on soldiers of the line when on duty. When men were called out by their officers they did not stop to question whether the command was legal or not. They trusted to their officers, who should be held responsible for any illegality. He understood that the member for Montreal Centre had been appointed legal adviser to that City, in 1871, and that the election took place at which the volunteers were called out, was in 1872, so that the advice must have been given by the gentleman who now wishes the debt paid by the country.

The item was carried.

Hon. Mr. CARTWRIGHT gave some explanations with reference to the item of $5,000 for drill sheds and rifle ranges.

Mr. ROSS (Prince Edward) said there was also an item of $40,000 in the Supplementary Estimates for next year for drill sheds, and he suggested that these two sums be appropriated as an additional grant to the veterans of 1812, as it was now apparent that the vote of $50,000 already passed for that purpose would be altogether inadequate. Instead of there being only five hundred of these

veterans living now as was estimated, he found by enquiry at the Militia Department, day before yesterday, that 1,150 had already applied, and he had no doubt that the number would reach 1,500. This would only give $33.33 to each veteran; and it would be an insult to these brave and loyal men to offer them that miserably small amount. He hoped the Government would take this matter into their serious consideration.

Mr. WRIGHT (Pontiac) suggested that the headquarters of the district in which Ottawa was situated should be fixed at Ottawa.

Mr. BROUSE thought the suggestion of the hon. member for Prince Edward was worthy of consideration. If the Government intended to provide for these veterans, an additional sum should be placed in the Supplementary Estimates. It would be a mockery to offer them $40 each. They should at least be treated with as much consideration as the regular soldiers received from Chelsea Hospital.

Hon. Mr. MACKENZIE said the Government had no reason to believe that the number would reach that mentioned by the hon. member for Prince Edward. What the Government intended was that these men should receive the maximum amount paid to the pensioners under a a former Act, namely, $80 a head.

Mr. BROUSE said he was glad to hear that, but the Government would find that the number of these veterans was very large, our climate being conducive of longevity.

Mr. THOMPSON (Haldimand) said that many of the drill sheds throughout the ccuntry were fast going to destruction, and some steps should be taken to preserve them.

Mr. STEPHENSON asked if any portion of this grant would be allotted to the rural battalions.

Mr. ROSS (Prince Edward) said he had received his information about the number of veterans at the Militia Department. There were 1,150 applicants and he had no doubt they would reach 1,500. Supposing 50 per cent. of those were not entitled to anything there would still remain so large a number that the vote of $50,000 would not give them $80 each.

Mr. BOWELL—There are a great many that may probably not be recognized by the Militia Department.

Hon. Mr. MACKENZIE—A very large number.

Mr. BOWELL said there were some such within his knowledge. There were some who had served in the transport service and in other ways for six months and then gone home; and it would be a question whether their claims should be recognized.

Hon. Mr. MITCHELL said he had been asked by several volunteers in Montreal to inquire of the Government what accommodation would be provided for the volunteers of Montreal now that the barracks had been sold, St. Helen's Island transferred to the city, Logan's Farm gone, and the roof of the Drill Shed fallen in.

Hon. Mr. MACKENZIE replied that, as he had informed the hon. member for Montreal Centre when he asked a similar question; he would give information on this point when they came to the item for Drill Sheds in the supplementary estimates for 1875-6.

Hon. Mr. MITCHELL said he might not be in the House then and he was entitled to the information now.

Item passed.

On item 16, pay, maintainance and equipment of A and B Batteries and Schools of Gunnery, $15,000,

Mr. KIRKPATRICK called attention to a cable despatch in a prominent journal in this country announcing that a large force of regular troops would be sent out to drill the Canadian volunteers, and asked if the Government had received any information on the subject.

Hon. Mr. CARTWRIGHT said he was afraid somebody had perpetrated a hoax upon the journal in question.

Item passed.

On item 17, Barracks at Fort Pelly, $30,000.

Mr. YOUNG—What kind of buildings was it intended these should be; were they to be permanent or only of a temporary character?

Hon. Mr. MACKENZIE said the buildings were already erected. They were permanent buildings, some of them of square logs, and some frame, some two stories high and some only one. Two of the buildings were each about 280 feet long, and there was a commandant's house, a hospital and other ordinary buildings, and a stable with accommodation for two hundred

horses. The Government had sent a saw mill up there, and about a million feet of lumber was sawn, and shingles enough made to cover all the buildings. There was a force of about ninety or a hundred men sent up there in September, and they finished the buildings about the first of January. They were intended to be a permanent accommodation for the police force in that quarter, and they would also furnish a residence for the officers connected with the North-West Government.

Mr. SCHULTZ wished to have more specific information with respect to these buildings in consequence of a report having reached Manitoba that the force from the Rocky Mountains did not remain at Fort Pelly because of the unfitness of both the barracks and the stables for the accommodation of the men and the horses. He asked the Government whether they were in receipt of any official information on that point.

Hon. Mr. MACKENZIE said the reports of the officers showed that they only left a portion of the force at Fort Pelly when they should have left them all there. It was not in consequence of the unfitness of the buildings that the men were not all left there.

Mr. SCHULTZ—Why did not the whole force stay there?

Hon. Mr. MACKENZIE—They came away as I think very improperly, but one reason assigned was that a considerable quantity of hay had been burned through the carelessness of those in charge, and they believed there was not sufficient left to maintain all the horses through the winter.

Hon. Mr. BOWELL noticed that this item was placed under the head of Public Works and Buildings, whereas another item for erection of winter quarters at the Rocky Mountains was charged under the head of the Mounted Police.

Hon. Mr. MACKENZIE said the Public Works Department erected the buildings at Fort Pelly and took entire charge of them; whereas the others were erected by Col. McLEOD, who had charge of the police force there.

Hon. D. A. SMITH said the reason referred to by the Premier why the police force did not remain at Fort Pelly, namely because a large quantity of hay was destroyed by fire, was correct. Nearly all the hay they had up there, as well as a large quantity belonging to the Hudson Bay Company, was destroyed.

Mr. SCHULTZ asked whether the Government had or had not received any information from the officers of the Mounted Police in regard to the fitness or unfitness of these buildings for winter quarters.

Hon. Mr. MACKENZIE—I do not think anything was said about the buildings being unfit. The report detailed various circumstances, but I do not think it was alleged that the buildings were unfit.

Hon. Mr MITCHELL—I do not know whether the attention of the First Minister has been called to a letter, purporting to come from an officer of the force, in which these buildings were described as put up in a shameful manner, and the men were stated to be freezing in them.

Hon. Mr. MACKENZIE—I have not seen the letter.

Item passed, also items 18 to 20 inclusive.

On item 21, for winter steam service between Prince Edward Island and the mainland, $10,000.

Hon. Mr. MACKENZIE, in reply to Mr. TUPPER, said the Government had been quite unable to arrive at any definite conclusion as to what could be done. They had advertised for tenders. Some builders contended that a steamer could be constructed for this service, and it was hoped that some arrangement could be made to secure one. The sum of $10,000 had been placed in the estimates, but the Government could not tell what the vessel would cost.

The item was passed.

Items 22, 23, and 24 were passed.

On item 25, for fishery overseers, $2,300.

Mr. HAGGART asked if it was part of the duty of those overseers to prevent sawdust being thrown into the river.

Hon. Mr. CARTWRIGHT said it was a part of their duties, and the Government intended to enforce the law against obstructing streams, more rigorously in future.

The item was passed.

The following items to the 30th inclusive were also passed.

On item 31, to pay the cost of missions to the Blackfeet and Plain Cree Indians, $2,548,02.

Sir JOHN MACDONALD asked for explanations.

Hon. Mr. CARTWRIGHT said it was considered advisable last summer to send certain parties in advance of the commissioners to propitiate these Indians who were warlike and very much exasperated by the outrages perpetrated by American traders.

Mr. SCHULTZ wished to have some information in regard to treaties generally in the North-West. There was very little to be obtained from the report of the Minister of the Interior. The treaty negotiated at Qu'Appelle Lake occupied several days and many matters were brought up. It was understood that dissatisfaction was expressed by nearly every one of these Indians with the Hudson's Bay Company's rule in the North-West, and fear was expressed that the company or its officers exercised undue influence over the Government. If such were the fact, it was a very important matter for the Government to keep in view in making choice of officials in the North-West and in the Government of that territory.

Hon. Mr. LAIRD said the objections which the Indians took to the Hudson Bay Company were very fully stated in reports published in all the newspapers of Manitoba and in some newspapers in the Eastern Provinces. A reporter accompanied the commissioners and reported the objections taken by the Indians and the replies thereto which satisfied them in regard to the treaty. These reports had been published so fully through the press that he did not think it necessary to incorporate them in his report to the House.

Mr. SMITH (Selkirk) said the objection referred to was in regard to the reserves held by the Hudson's Bay Company under the provisions of the surrender of the territory. Otherwise there was very little fault found but it might be interesting to the House to know that a speech delivered by the hon. member for Lisgar, in which the Hudson's Bay Company were not spoken of in the most complimentary terms, had been translated into the Indian language and distributed among the Indians.

Mr. SCHULTZ said the hon. member had misconceived, to say the least of it, the objections raised by the Indians on the occasion referred to. These objections were simply the distrust engendered by their long experience in dealing with the Hudson's Bay Company's officers, and, if his information was correct, that distrust was very strongly expressed day after day. With regard to the alleged translation of his (Mr. SCHULTZ) speech, if the statement were true the translation must have been done by the Hudson's Bay Company themselves. It was a very unlikely story, however, inasmuch as there was not in the whole of the North-West a font of type capable of printing a document of that kind.

Mr. SMITH said he had been informed on very good authority that such a document was circulated among the Indians. The peace and quietness which prevailed in the North-West was sufficient evidence of the good relations which existed between the Indians and the Hudson's Bay Company's officers.

The item was passed.

On item 32, $6,000 under the head of Indians.

Mr. BOWELL desired to call the attention of the hon. Minister of Interior to the fact that there were Indian claims demanding settlement nearer home than the North-West Territories. The Mohawks in the district in which he resided had a long standing grievance in that they had been deprived for many years of a large annuity to which they were entitled. He had brought the case before the late Government repeatedly, and in the House moved for and obtained papers respecting it, and had ever since been endeavoring to obtain justice for that tribe. The facts were simply these : a large proportion of the lands in the township of Tyendinaga were ceded to the Government in 1834 or 1835. Subsequent to that transfer one-seventh was set apart for Clergy Reserves. It was distinctly provided that the amount obtained from the sale of the lands should be invested and the interest paid annually to the tribe ; but this had not been done. The matter had been reported on by the late Minister of Justice, and his predecessor, and they declared that the tribe were equitably entitled to the full amount realized, and as the case caused much dissatisfaction among the Indians, he hoped it would be considered by the Government, and that justice would be meted out to those people.

Hon. Mr. LAIRD said no complaints had been made to the Department during his occupancy of office that had been brought to his notice. He would, how-

ever, inquire into the circumstances of the case.

Mr. BOWELL said the hon. Minister had been misinformed, as he had called on the Department on the subject, but not on the hon. Minister. There was a deputation of Chiefs from the Reserve now in the city for the purpose of waiting on the Government in regard to their claims.

Hon. Mr. LAIRD said no complaint had been made to him personally.

The item was passed.

Item 33 passed without discussion.

On item 34, $21,692, unexpended balance of 1873-74 for survey of boundary between Ontario and the North-West,

Hon. Mr. CARTWRIGHT, in reply to Hon. Mr. MITCHELL, said the unexpended balance of the previous vote was brought forward, but it would not probably be all expended.

Sir JOHN MACDONALD said that until the principle on which the boundary was to be settled was determined there could be no survey and no expenditure of money. The question was referred to arbitrators, as he understood it.

The item was passed.

On item 35, $850 for Canada *Gazette*, (additional),

Mr. BOWELL asked for explanations.

Hon. Mr. CARTWRIGHT replied that extra expense was incurred in having Parliamentary documents printed for the use of the departments.

Item 36 and 37 were passed without discussion.

On item 38, $1.000, to pay a gratuity to Mrs. CATHERINE TODD, widow of the late ALFRED TODD, for forty years in the employ of the Canadian Legislative Assembly and House of Commons, in recognition of the long and faithful services of her deceased husband,

Mr. COSTIGAN called attention to the case of a young Frenchman residing in Victoria, N. B., who was accidentally shot and disabled by the guardian of the fisheries of the Restigouche river, while spearing salmon in July or August last, and asked the Government to consider whether they could not exercise liberality by giving the unfortunate man a gratuity.

Hon. Mr. CARTWRIGHT regretted that no such claim could be entertained, for if such a precedent were established the Government would be called upon to consider hundreds of claims of like character.

The item was passed.

On item 39, $31,764, unexpended balance of 1873-4 of vote for expenses of removal of depreciated coin, Province of Nova Scotia,

Hon. Mr. CARTWRIGHT explained that the full amount placed in the estimates would not be required. A portion of the amount would be expended in withdrawing twenty cent pieces. The item was originally placed in the estimates for the purpose of removing the silver nuisance of Nova Scotia.

On item 40, unexpended balance of 1873-4 of vote for compensation for losses to sufferers in the North-West Territory, $656.55,

Mr. BOWELL asked if this included all the claims for compensation.

Hon. Mr. CARTWRIGHT—I am not aware of any other claims.

Item passed.

On item to pay the municipalities of Lower Canada who withdrew their capital prior to the 30th June, 1874, the discount of 25 per cent. deducted from them, $46,697.37.

Hon. Mr. MITCHELL said as this was a liability of the old Province of Canada it should be kept as a separate account and charged to the old Province of Canada.

Mr. WRIGHT (Ottawa) said the Government saved a large amount by this operation. Originally they were bound to pay six per cent., but by borrowing money at five per cent. they saved about $150,000.

Item passed.

On item 42, to pay to the Hon. D. A. SMITH, M. P., the sum of £600 advanced by him on the 6th Feb., 1872, together with interest thereon, $3,562.50.

Mr. ROSS (Prince Edward) wished some explanation with regard to this item. If he understood it it was a vote to reimburse an hon. gentleman for money paid to RIEL and LEPINE to get them to leave the country. He would never be a party to paying these men a single dollar, and if the hon. gentleman advanced this money without the authority of the Government let him look to those parties that requested him to pay it. He moved that this item be struck out.

Mr. WHITE said that in the light of the letters of Sergeant MULLIGAN and

O'DONOGHUE this money should not be paid. If what O'DONOGHUE said was true the Hudson Bay Company had a good deal to do with keeping the Canadian Government out of the territory. If there was not something wrong in the Hudson Bay Company's connection with this matter how was it that the chief man of that company was willing to give this amount to get those men to leave the country, and give it without any authority from the Government? A great deal had been said about this whole business, but very little had been said on behalf of O'DONOGHUE. He certainly thought the Government should treat him with the same consideration as they did RIEL and LEPINE. He seconded the motion to strike out the item.

Hon. Mr. CARTWRIGHT said every one was familiar with the details of this matter as set forth in the report of the North-West Committee. He could simply say that this was a sum advanced by Mr. SMITH at the request, as was clearly shown, of the gentleman who was entrusted with the task of preserving peace in that country. It appeared that this money was paid to strengthen the hands of those who were responsible for the peace of the country. He did not think therefore that it would be creditable to the Dominion to allow an individual to pay out of his own pocket a considerable sum of money for what was apparently a public object.

Mr. DEVLIN said he was indebted to the hon. member for East Hastings for the deep interest he took in Mr. O'DONOGHUE. The credit of bringing the case before the House, however, was due to the hon. member for North Hastings, and the hon. member for Kingston also had referred to the fact that it seemed very extraordinary that the name of O'DONOGHUE had been omitted from the amnesty.

Sir JOHN MACDONALD—I did not say a single word about O'DONOGHUE or the amnesty.

Mr. DYMOND rose to a point of order. The question before the Chair was whether the sum of money mentioned in the estimates was due to the hon. member for Selkirk or not.

The CHAIRMAN ruled that every circumstance connected with the payment of that sum of money could be fairly discussed.

Mr. DEVLIN said it was a fact which admitted of no contradiction, that there was a feeling of dissatisfaction at the omission of O'DONOGHUE's name from the amnesty. From all that had transpired up to the present moment, O'DONOGHUE was the least culpable party concerned in the difficulties in Manitoba. The question was asked among the people, why every person bearing a French name was treated with kindness and consideration, while the only Irish Catholic was excluded from the amnesty. He desired to record his protest against this injustice towards his countrymen. There was no evidence that he had seen to show that O'DONOGHUE was in any way connected with the death of SCOTT, and he was not aware of any other circumstance which justified the Government in excluding Mr. O'DONOGHUE from the amnesty. It was said that he organized a Fenian raid upon Manitoba. If that was true, he (Mr. DEVLIN) would have nothing more to say on his behalf. Any Irishman who could be so ungrateful to a country where Irishmen enjoyed every right and privilege denied them in their native land, deserved any punishment he received. But O'DONOGHUE denied that he organized a Fenian raid, and contended that he was prepared to show that everything he did was in accordance with the orders given by the provisional Government of Manitoba. He felt confident the Government would do justice to O'DONOGHUE and he hoped they would deal with the case forthwith.

Mr. SMITH (Selkirk) said he had no desire at this time to say one word against O'DONOGHUE, but he would simply remind the hon. member for Montreal Centre that the Provisional Government at Fort Garry was not in existence in the autumn of 1871 and September 1870 when O'DONOGHUE alleged he acted under their instructions.

Mr. MASSON said he was always of opinion that the amnesty should be extended to all persons implicated in the troubles in Manitoba. When the amnesty measure was before Parliament the member for Bagot moved "that it would be proper that a full amnesty should be granted to all persons concerned in the North-West Troubles for all acts committed in said troubles." That was the proper time for the hon. member for Montreal Centre to befriend O'DONOGHUE, but instead of doing so the hon. gentleman

had voted against the amendment. He could hardly find fault with the Government for doing that for which he (Mr. DEVLIN) had voted they should do. The hon. member for Bagot knew what he was doing, and his object was to extend the amnesty to all persons implicated in the rebellion, irrespective of their nationality. They failed to accomplish that, and they had to thank the hon. member for Montreal Centre and those who voted with him for that failure.

Mr. DEVLIN said he would hesitate long before joining hands with the hon. member for Terrebonne and the half-dozen who surrounded him.

Mr. WHITE said the Opposition had no desire to include in their numbers such characters as the hon. member for Montreal Centre.

Mr. COSTIGAN said the hon. member for Montreal ought to prove his sincerity in this matter by taking some more effective steps to secure justice to O'DONOGHUE. If there was only to be discussion on the matter and then allow it to drop, it would have been better it had not been brought up at all. The hon. gentleman had assumed the responsibility of bringing up this matter, and he would have to be held responsible for carrying it out.

Mr. SCHULTZ said he had two or three objections to this item. First, if it was passed he did not believe his hon. friend from Selkirk would accept the money. His fine sense of honor would prevent him from accepting it. When the troops were arming at Fort Garry, and RIEL and his friends were leaving, they threw a lot of documents into a well. These were fished up again, and that same fine sense of honor dictated he believed the order that these should be burned. It was difficult to say whom they might implicate, and that had something to do with the burning of these papers. The second objection he had to this item was that the amount of interest was very large. He took it for granted that this £600 was paid in Hudson Bay Company's notes, which were worth then in Canadian currency about $2,946. This would leave $616 set down for interest, which certainly made that payment a good investment. A third objection he had was derived from the statement made before the North-West Committee by Lieut. Governor ARCHIBALD; That gentleman in his evidence stated :—

"The whole matter was talked over before DONALD A. SMITH, M. P., who entirely agreed as to the soundness of the policy, and then the question arose as to how the funds were to be raised. Mr. SMITH said that if I directed it, he would find the funds. I said I could only do that as a private individual, and although I took it for granted that the Government of the Dominion would not willingly make me a victim, they might not see their way clear to make it right. Mr. SMITH said he had no doubt of the view they would take of it, and if there was any risk he was willing to share it with me."

Hon. D. A. SMITH asked the hon. gentleman to refer to the evidence of Archbishop TACHÉ on that point.

Mr. SCHULTZ said he was reading the evidence of a gentleman he knew the most about the transaction except the hon. member himself. It seemed to him that this evidence plainly showed that the hon. member for Selkirk paid this money, well knowing that he was running a risk of ever getting it paid back. In view of this fact, and in view also of the statements made by an officer of the late Provisional Government in regard to that hon. gentleman's connection with the insurrection, it would occur to most people that there might be reasons for his advancing this money other than State reasons, other than a wish to oblige the then Government of Canada. If the important statements made by O'DONOGHUE had even the shadow of truth in it, it could easily be seen that the hon. gentleman from Selkirk was as much interested as the Government, or as Lieut. Governor ARCHIBALD, in securing the absence of these men. He did not see that this money was promised to be paid by the late Government, and therefore he would vote against this item.

Hon. D. A. SMITH said that with respect to his accepting the money, he would not say much about that ; but he would appeal to members of both the present and the late Government to say whether he had ever been pressing for this money. He had never urged either Government to pay it. With reference to the documents that had been thrown down a well and fished up again and destroyed, as referred to by the hon. member for Selkirk, he explained that a trunk belonging to an officer of the Hudson Bay Company had been thrown into a well and fished up again. The only papers it contained were that officer's private papers, and as they

were rendered useless by the water he destroyed them. Nothing could be more untrue than the statement that the Hudson Bay Company destroyed any papers connected with the Provisional Government. As the hour was very late, he would take another opportunity of referring to the accusations of Mr. O'DONOGHUE, with regard to himself.

Mr. SCHULTZ read the following extract from Lieutenant Governor ARCHIBALD'S evidence :—

"I never told Mr. SMITH that the Government had undertaken to make good the £600 he advanced. In my conversation with him to which he refers, I spoke only of another sum, respecting which he has spoken in his evidence, namely, some compensation to the loyal French."

If the evidence of Lieut. Governor ARCHIBALD then could be believed, the member for Selkirk must have deliberately advanced this money, knowing that the chance of his getting it back was very slim indeed. In view of that fact, and of the fact that the money was applied to so bad a use, he thought the House would be justified in refusing to pass this vote.

Mr. D. A. SMITH said he did not desire to question the evidence given by Lieutenant Governor ARCHIBALD, but it was always found that when two or three gentlemen were witnesses of the same circumstances, they did not exactly agree respecting them when called upon to give evidence. Archbishop TACHÉ, in his evidence before the North-West Committee, made the following statement :— "It was then that I saw Lieutenant Governor ARCHIBALD on the subject of money. There were many conversations between the Lieutenant Governor of Manitoba and myself on the subject. The Lieutenant Governor called on Mr. SMITH, and in my presence, asked if he could furnish the funds, which, of course, he said would be reimbursed by the Canadian Government. I named at first £800 sterling to the Governor as the sum required by RIEL and LEPINE for themselves and their families. The Governor asked Mr. SMITH to lend £800 sterling. I mentioned that I had $1,000 at my disposal, without mentioning the source, and thus the sum to be furnished by Mr. SMITH was reduced to £600 sterling." This evidence conflicted somewhat with that of Lieut. Governor ARCHIBALD, but he (Mr. SMITH) always understood that the money matter was settled between Lieutenant Governor ARCHIBALD and Archbishop TACHÉ before he was called upon. He was attending to his duties in the Local House at the time. A message was sent in to him, but he did not desire at that moment to leave the Chamber, as pressing business was before it ; but he shortly afterwards received a pressing note from Lieutenant Governor ARCHIBALD, requesting him to go up to Mr. ARCHIBALD'S office. He did so, and met the Archbishop and Mr. ARCHIBALD, and he was then asked to advance the money on the terms spoken of by Mr. ARCHIBALD. The hon. member for Lisgar had referred to the currency of the Hudson's Bay Company ; the sum was, however paid in good Canadian currency. He was not aware what sum was placed in the estimate on account of this payment until he entered the House that evening. He had not spoken to any member of the Government about paying that money with interest up to that moment.

Mr. LANDERKIN hoped the item would be voted upon without further discussion.

Mr. BOWELL desired the hon. member for Selkirk to read his own evidence given before the committee. It was to this effect: that in an interview he had with Mr. ARCHIBALD they expressed great fears that a raid would be made on the territories, a new insurrection might result therefrom, as the troops could not enter the territory during the winter season Mr. SMITH agreed to pay £600 which Lieut. Governor ARCHIBALD asked to induce parties to leave the country. They agreed between themselves that if the Canadian Government refused to recognize the payment they would each sustain one half of the loss. Mr. ARCHIBALD in his evidence said he could not afford to lose that sum of money, and hoped he might get it out of the Canadian Government., but that he had not the slightest doubt that the payment would be recouped. Archbishop TACHÉ in his evidence thought that when Mr. ARCHIBALD asked for the money from the banker of the Hudson Bay Company, that it would be reimbursed by the Dominion Government. There was not one word in all the evidence to justify the assertion that Mr. ARCHIBALD or Mr. SMITH had authority to pay a single cent.

Mr. D. A. SMITH said he had already

mentioned that he found Mr. ARCHIBALD and the Archbishop together, and took it for granted that the money matter had been settled beforehand. It was true that after he was asked to advance the money, Mr. ARCHIBALD said :—" For that matter I would guarantee it myself,"—to which he (Mr. SMITH) replied, "If it comes to that I will go halves with you." That occurred after it was understood the money was to be paid by the Dominion Government. His (Mr. SMITH's) evidence was not properly taken, and was not signed by him, in fact when it was sent subsequently to him he was unable to read some portions of the manuscript.

Mr. FARROW said that the transaction was a speculative one, and he could not conceive why the Government had placed the amount in the estimates, for it did not appear that the hon. member for Selkirk was anxious to have the money repaid.

Mr. SMITH begged the hon. member's pardon. What he stated was that he did not know the extent of the amount which would be placed in the estimates before he saw the paper. He had not been importunate with one Government or the other regarding the payment of the amount.

Mr. FARROW thought the explanations of the hon. member were not satisfactory. He understood that that gentleman had not pressed the Government for repayment, and yet the estimates proposed not only to repay the principal, but, also the interest, which seemed to be calculated to a nicety. He held the opinion that there were plenty of channels in which the money of the country could be spent without devoting it to such a purpose, and if the hon. gentleman had incurred such risk, he knew that he would probably lose the money. If the House was desirous of exercising economy, hon. members should vote against the payment proposed.

Hon. Mr. MACKENZIE said the question was simply this : that the evidence contained in the Blue Book established beyond question that the money was borrowed from Mr. D. A. SMITH by Lieut. Governor ARCHIBALD ; that the transaction was recognized by the hon. gentleman opposite, then at the head of the Government ; and this, therefore, was a debt due the hon. member for Selkirk by the country. If the principal—£600—was due, then the interest was due also ; and if the money was not due there should be no payment. The question to be determined was simply whether the House would recognize this debt which was clearly established to be such. The hon. member for Kingston, who, as leader of the late Government, was bound to state to the House the views he presented to the North-West Committee before which he gave evidence.

Sir JOHN MACDONALD said there was no dispute as to the facts of the case, and he failed to understand why the hon. member for Selkirk was afraid to admit the exact truth of the evidence of Lieut. Governor ARCHIBALD. What Lieut. Governor ARCHIBALD stated, as appeared from the Blue Book, he had previously heard from the hon. member for Selkirk. It must, therefore, be true, because that hon. member told him (Sir JOHN) the very words long before the evidence was given, and that, indeed, was the first intimation he received in any way of the transaction. The facts, as they appeared on the face of the evidence, were these :—It appeared that a reward was offered by the Government of Ontario for the apprehension of Riel, that the news of that reward was sent over the wires to Manitoba, that the French Metis resolved to make common cause with Riel, and formed a body-guard for his protection, and then the Archbishop, the Lieut. Governor and the hon. member for Selkirk met and came to the conclusion that there was a great danger of a rising of the Metis which might assume the proportions of another insurrection and produce bloodshed. Whether the danger was exagerated or not he (Sir JOHN) did not know. But when three rather elderly gentlemen met together they alarmed each other, and from the circumstance that some of the Metis had determined to gather around Riel, they inferred that there was going to be another insurection and that the country would be ravaged. They thereupon agreed to raise a sum of money to send some of the leaders out of the country as appeared by the evidence. Lieut. Governor ARCHIBALD said that he had no authority from the Government at Ottawa to pay a six-pence, but he considered the danger was great, that while he could not afford to run the risk of losing the whole

amount if the Dominion Government did not recoup the payment, yet, as it was absolutely necessary to have the leaders sent out of the country for one year, he was willing to pay one half of the amount and Mr. SMITH the other half, and the agreement was so made. When Mr. SMITH subsequently came to Ottawa he told him (Sir JOHN) the facts, to which he replied, "that of course the Lieut. Governor had no authority and no instruction to make any payment, because the facts arose so suddenly that he could not have any communication with the Government." He also told Mr. SMITH that if Mr. ARCHIBALD, as the representative of Canada in the North-West, took the responsibility of making a promise of payment on the faith of its repayment by the Dominion Government, Parliament would not allow the Hudson Bay Company or Mr. SMITH to lose the money. He (Sir JOHN) made that statement before the committee and he now repeated it.

The amendment was negatived on the following vote :—Ayes, 18 ; Nays, 49.

The item was then passed.

On item 43, to pay the sum agreed to be paid to certain parties for services during the troubles in the North-West Territories, $2,500,

Mr. BOWELL asked for explanations.

Hon. Mr. MACKENZIE said this was the £500 that Mr. SMITH was authorized to pay some of the loyal French inhabitants of Manitoba when he went up there on behalf of the Government of Canada. The evidence clearly showed that the repayment of that sum was promised.

Sir JOHN MACDONALD.—There is no doubt about that.

Mr. RYAN asked whether these claims would be submitted to arbitration, as were the claims of other loyal men.

Hon. Mr. MACKENZIE.—We have not yet decided about that.

The item passed, as also items 44 to 47 inclusive.

On item 48 to pay the cost in connection with the change of gauge of Intercolonial Railway, and for rolling stock—$800,000,

Hon. Mr. TUPPER asked if this money was to be expended for the change of gauge on the part of the road now in operation.

Hon. Mr. MACKENZIE said it was. There were 37 new engines being built which would be delivered by the time the gauge was changed, about the 1st July, or probably earlier ; and the trucks and cars necessary were also being constructed. For the mere moving of the rails a comparatively small amount would be necessary. The Government would also have to fear some expense on the Windsor branch. The would have to put that part of the road in repair and change its gauge.

Mr. BOWELL asked if any part of this money was for the change of gauge on the Intercolonial Railway proper.

Hon. Mr. MACKENZIE replied that this money was for the change of gauge between St. John and Shédiac, between Moncton and Halifax, between Truro and Picton, and between the Junction and Windsor.

The item passed.

On item 49, Post Offices (additional)—$58,000 in anwer to Mr. MACMILLAN,

Hon. Mr. MACKENZIE said that the contract for the London Post Office had given out by the architect without tenders having been advertised for, to the contractors who previously had the work. This was done without his (Mr. MACKENZIE's) knowledge at the time, and without his authority, and it was the only instance of the kind that had occurred. The architect did this at the instance of the sub-architect in London who had charge of the works, who the hon. gentleman knew was no political friend of the present Government.

The item passed, as also item 50, and the committee rose and reported.

The House adjourned at 3:30 a. m.

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HOUSE OF COMMONS,

Wednesday, March 31st, 1875.

The SPEAKER took the chair at three o'clock.

HARBOR MASTER FOR THREE RIVERS.

Mr. BARTHE asked whether it is the intention of the Government to appoint a Harbor Master for the City of Three Rivers, and when ?

Hon. Mr. SMITH—There is a Bill now before the House with reference to the appointment of Harbor Masters. If

it should become law the appointment will be made.

A JUDGE FOR NORFOLK.

Mr. WALLACE (Norfolk) asked whether, and when, it is the intention of the Government to appoint a Judge for the County of Norfolk?

Hon. Mr. MACKENZIE—A Judge for the County of Norfolk has been appointed.

A PROHIBITORY LIQUOR LAW.

Mr. WALLACE (Norfolk) asked whether, in consideration of the petitions that have been presented to this House, praying for the passage of a Prohibitory Liquor Law, it is the intention of the Government to initiate, sanction or aid legislation to prohibit the manufacture, importation or sale of wines and spirituous and malt liquors?

Hon. Mr. MACKENZIE—The Government will always be prepared to sanction all abstinence from drinking intoxicating liquors.

A RECIPROCITY TREATY.

Mr. WALLACE (Norfolk) asked whether, during the Parliamentary Recess, it is the intention of the Government to renew negotiations for a Reciprocity Treaty with the United States?

Hon. Mr. MACKENZIE—We will always be glad to negotiate for a Reciprocity Treaty with any nation.

THE TARIFF.

Mr. WALLACE (Norfolk) asked whether it is the intention of the Government to re-arrange the Tariff, so as to provide for the imposition of duties on all articles, the product of the soil or of the farm, when coming into Canada from the United States, so long as duties are levied by the United States upon similar articles going from Canada into the American market?

Hon. Mr. MACKENZIE—We never like to give information on so confidential a subject as the Tariff in advance of bringing it down.

SOREL HARBOR MASTER.

Mr. CARON asked for what reason GEORGE HENRY BRAMLEY, Esq., of the town of Sorel, has been dismissed as Harbor Master of the port of Sorel, and PIERRE BELLEFEUILLE appointed in his place; and for what reason the Government refuses to pay the said GEORGE HENRY BRAMLEY the sum of $212.50 for services as Harbor Master of Sorel from 1st January, 1874, to 15th September of same year, and $100 for services in superintending repairing and rigging Floating Lights Nos. 1, 2 and 3, Lake St. Peter?

Hon. Mr. SMITH—GEORGE HENRY BRAMLEY was appointed by the late Government at a salary of $300 a year, as an officer of the Trinity House of Montreal, which was abolished in July, 1873. The office was therefore practically abolished. Mr. BELLEFEUILLE was appointed in July, 1874, and was paid by fees. Mr. BRAMLEY is entitled to $166, which the Government have always been ready to pay, but he claims $100 for services connected with Lights Nos. 1, 2 and 3, which the Government do not recognize nor do they recognize his claim for two months' salary after his ceasing to hold office.

TERMS OF UNION WITH BRITISH COLUMBIA.

Mr. DECOSMOS asked whether the Hon. the Premier is aware that the letter found on page 11 of the "Message relating to the Terms of Union with the Province of British Columbia, viz :—

"Feb. 21, 1874.

"Sir,—The bearer is JAMES D. EDGAR, Esq., Barrister, Toronto, who visits Columbia as the Agent of the Dominion Government, to consult with your Government with reference to the late agitation concerning an extension of time for the construction of the Pacific Railway beyond that provided in the Terms of Union. Mr. EDGAR will explain to YOUR EXCELLENCY our anxiety to do everything in our power to meet the views of your people.

"He will be glad to receive your suggestions concerning matters which require attention.

"I am, Sir very respectfully,
"Your obedient servant,
"(Signed) A. MACKENZIE.

"His Excellency T. W. TRUTCH,
"Lieutenant Governor,
"Victoria, British Columbia."

was never delivered to Governor TRUTCH by Mr. J. D. EDGAR, nor any one else.

Hon. Mr. MACKENZIE—I became aware of it a week ago.

DISALLOWANCE OF PROVINCIAL ACTS.

Mr. DECOSMOS asked what are the reasons why HIS EXCELLENCY the GOVERNOR GENERAL disallowed "An Act to amend and consolidate the Laws affecting Crown Lands in British Columbia;" and also "An Act to make provisions for the better administration of Justice in British Columbia."

Hon. Mr. FOURNIER in reply, read a lengthy statement showing that the Acts referred to were disallowed because no reservation of lands had ever been made for the Indians in British Columbia, and because the Indian title had never been extinguished in that Province. It had always been the policy of England to treat with the Indians to acquire their territorial rights and to compensate them for such lands as they obtained from them by treaties.

THE HUDSON'S BAY COMPANY'S CLAIMS.

Mr. SCHULTZ asked whether it is the intention of the Government to recognize and pay the claims of the Hudson Bay Company for alleged losses incurred during the Red River Insurrection of 1869-70?

Hon. Mr. MACKENZIE—It is not the intention of the Government to recognize any alleged losses. If the Government find any real losses that they should recognize, they will come to Parliament and ask Parliament to sanction their payment.

A GEOLOGICAL MUSEUM.

Mr. GOUDGE asked whether it is the intention of the Government during the Recess to take steps with a view to the establishmet of a Musenm in the City of Ottawa of a character similar to those established in Washington and London, England, embracing Geological collections, and collections of agricultural produce, analysis and implements, manufactures, machinery, &c., &c?

Hon. Mr. MACKENZIE—It is not the intention of the Government to do this.

THE PACIFIC RAILROAD SURVEYS.

Mr. THOMPSON (Cariboo) asked when will the several surveying parties, required to complete the surveys for the Canada Pacific Railway, on the Mainland of British Columbia, be despatched to that Province.

Hon. Mr. MACKENZIE—Most of the parties have been there all winter and some of them have been at work all winter. Only those whose presence was necessary in order to work out the results of last summer's surveys, have come here. They will all be at their posts very soon.

REPORTS OF THE C. P. R. SURVEY.

Mr. THOMPSON (Cariboo) asked whether the Reports of the Engineers employed during the year 1874 on the survey of the Canada Pacific Railway, will be published during the present Session; and if the Report of Mr. HORETZKY, as to his explorations on the Peace River route, will be published?

Hon. Mr. MACKENZIE—It will be impossible to publish those reports this session, but all the reports conveying information will be published as soon as possible. The maps are in course of preparation.

MONTREAL VOLUNTEERS.

Mr. DEVLIN—The Government having sold to the City Corporation the Quebec Gate Barracks, having handed over the Logan Farm, St. Helen's Island, and other Government property—while the Drill-Shed is a ruin and the Volunteers only occupy a portion of it on sufferance from the Corporation, has any, and if so, what arrangement has been made for the accommodation of the Volunteers and City Corps for drilling purposes.

Hon. Mr. VAIL was understood to say in reply that the Government were not in possession of sufficient information to be able to give a reply on the subject, but they would attend to the matter.

RESPONSIBLE GOVERNMENT.

Hon. Mr. BLAKE moved that the House go into Committee of the Whole to consider the following resolutions:—

That by the 56th clause of the British North America Act, 1867, it is in effect enacted that when the GOVERNOR GENERAL assents to a Bill in the QUEEN'S name, the QUEEN in Council may within two years after its receipt disallow such Act.

That by the 90th clause of the said Statute it is enacted that the above provisions shall extend and apply to the Legislatures of the several Provinces as if re-enacted, with the substitution of the Lieut. Governor for the GOVERNOR GENERAL, of the GOVERNOR GENERAL for the QUEEN, of one year or two years, and of the Province of Canada,

That in the opinion of this House the power of disallowance of Acts of a Local Legislature conferred by the said Statute is thereunder vested in the GOVERNOR GENERAL in Council, and that HIS EXCELLENCY'S Ministers are responsible to Parliament for the action of the

GOVERNOR GENERAL in exercising or abstaining from the exercise of the said power.

That by a letter dated 13th December, 1872, the Registrar of the Privy Council of the United Kingdom conveyed to the Colonial Office the opinion of the Lord President of the Council that the power of confirming or disallowing local Acts is under the said Statute vested in the GOVERNOR GENERAL acting under the advice of his constitutional advisers.

That notwithstanding the premises by a despatch dated 30th June, 1873, the Secretary for the Colonies in response to an application from the GOVERNOR GENERAL for instructions on the subject informed HIS EXCELLENCY that he was advised by the Law Officers of the Crown that the question of disallowance or allowance of Local Acts is a matter in which HIS EXCELLENCY must act on his own individual discretion, and in which he cannot be guided by the advice of his responsible Ministers.

That this House feels bound in assertion of the constitutional rights of the Canadian people to record its protest against and dissent from the said instruction, and to declare its determination to hold HIS EXCELLENCY'S Ministers responsible for his action in the exercise of the power so conferred by the said Statute.

He said—I ask the House to affirm the principle contained in the third resolution. It is hardly necessary to observe that no more delicate function could be discharged by the Executive authority than the function which entrusted to it by this 90th clause. I can conceive of no function which has to be exercised with greater caution, under greater restraint or with a more careful prevision of its consequences to the future of the confederacy than the power of disallowing acts of the Local Legislatures, and the higher the degree of caution, and the more delicate the duty, the more obvious it must be that the case is one in which the constitutional doctrine with reference to the responsibility of the Government, ought to be strictly applied—ought to be implied if they be not on the face of the Act, but being on the face of it, ought to be rigidly and amply enforced. Therefore, I ask that the House affirm the proposition that this power of disallowance, which is expressly vested, not in the GOVERNOR GENERAL, but in the GOVERNOR in Council, is so vested, and that his Ministers are responsible for the exercise of that power. At a very early period in the history of the Confederation, the hon. member for Kingston, occupying the position of First Minister and Minister of Justice, thought it proper—and no man can dispute the propriety of that course—to propose to the Council and through it to HIS EXCELLENCY, to assent to certain general rules relative to the exercise or abstinence from exercising this power. I am not called upon to discuss the policy of those rules but simply to direct the attention of the House to the fact that it was then declared to be the opinion of the Council, sanctioned by HIS EXCELLENCY and adopted not merely tacitly, but I may say expressly, by Parliament (having reference to the various transactions which have taken place in Parliament) that this power was to be exercised through the Council and that for the exercising or abstaining from exercising of which the Ministry must be responsible to Parliament. At an early period in the history of the Confederation, my hon. friend from Chateauguay, with reference to a Bill passed by the Legislature of Quebec, having reference to the navigation of the St. Lawrence, invited the attention of the House by a motion, to the course which he thought fit HIS EXCELLENCY'S Ministers should advise HIS EXCELLENCY to take with reference to that Act. Though the motion was withdrawn, there was no dissent from the opinion that the power should be exercised by HIS EXCELLENCY on the advice of his Ministers. The uniform course of practice since that time has been in accordance with that view. From time to time we have had returns brought down to us of correspondence that has taken place, and Orders in Council, with reference to the disallowance of Acts passed by the Local Legislatures, and I was going to say allowance of them, but that is not a strictly correct phrase. They have vitality from the assent of the Lieut. Governor, and their life is not dependent upon no affirmative action of HIS EXCELLENCY in Council. He can destroy but his assent is not necesary to life. . So we find repeated reports from the Minister of Justice of the day, on rare occasions, recommending the disallowance of Local Acts, and, in the vast majority of cases, recommending that it should be left to the courts to determine whether the Acts were beyond the power of the Legislatures. Upon an occasion not very far removed, the same view was held by the Imperial authorities, as the resolution which I move alleges. You will find in the sessional papers of 1873, at page 64, a letter dated 13th December,

1872, in which the Lord President of the Privy Council makes a communication with reference to the same subject matter, out of which this present motion arises. That communication reads thus :

"It appears to His Lordship that as the power "of confirming or disallowing Provincial Acts "is vested by the Statute in the GOVERNOR "GENERAL of the Dominion of Canada, acting "under the advice of his constitutional adviser, "there is nothing in this case which gives to "HER MAJESTY in Council any jurisdiction "over this question."

Thus there is a clear declaration which being transmitted from the colonial office to the GOVERNOR GENERAL of this country and being by the advice of his Privy Council, without remark laid before Parliament and acquiesced in, as it naturally would be, by Parliament, may be taken to be the accepted doctrine with reference to the theory of dis-allowance of local Acts, But a new state of things arose with reference to the same matter. In the Session of 1873 the House of Commons passed a resolution in which they did not, as I recollect, address HIS EXCELLENCY the GOVERNOR GENERAL, but declared it to be, in the opinion of the House, the duty of HIS EXCELLENCY'S Ministers to advise HIS EXCELLENCY, under certain circumstances, to disallow certain acts of the Legislature of New Brunswick. The House of Commons made no communication to HIS EXCELLENCY on that occasion, but they declared, as it certainly was competent for them to do, their opinion as to what the duty of the Ministry was in a certain emergency. It was competent for those Ministers, of course, to act upon or decline to act upon the resolutions of the House of Commons —to tender the advice, or refuse to tender it. They did not tender the advice, but neither did they tender advice to the contrary. As appears from sessional paper No. 25, of the session of 1874, the course which they recommended HIS EXCELLENCY to pursue was to refer the matter to the Imperial authorities for their instructions and guidance. The letter of HIS EXCELLENCY is dated May 27th, 1873, and in it he says :—"I have the "honor to enclose copy of a resolution, "carried in the House of Commons on "the 14th of May, by a majority of 35 "against the Government, urging the "disallowance by the GOVERNOR GENERAL "of certain Acts passed by the New "Brunswick Legislature, with a view of "legalizing a series of assessments, made "under the Common School Act of 1871, "and in amendment of that Act." Then His Lordship says he has been instructed by despatches from the Secretary of State for the Colonies, that the New Brunswick School Act of 1871 was within the competence of the Provincial Legislature, and that he was further advised by the Minister of Justice that the Acts recommended to be disallowed were equally within its competence. Then His Lordship goes on to say :—"Under these circumstances Sir JOHN MACDONALD has "announced to the House of Commons "that I am not at present prepared to "comply with the terms of the resolution "which has been passed in favor of the "disallowance of these Acts, but that it "is my intention to submit the circumstances of the case for the consideration "of HER MAJESTY'S Government, and to "await your further instruction. In "taking this step, I have followed the "course recommended to me by my responsible advisers." His Lordship also states that a considerable sum was voted for the purpose of defraying the legal expenses of those who proposed testing the legality of the School Act before the Judicial Committee of the Privy Council. He also subjoins a copy of a remonstrance addressed to him by a delegation from the Government of New Brunswick. That remonstrance is appended and contains in the 4th paragraph the following doctrine : —"The right of disallowance of Acts "passed by any of the Local Legislatures "is a statutory as well as a constitutional "power, vested in Your Excellency by the "British North America Act, and for "the exercise of which there is no responsibility to the Parliament of Canada." That is the statement of certain members of the Government of New Brunswick. The communication which is also enclosed —says :

"The resolution adopted by the House on the 14th of May, was duly laid before HIS EXCELLENCY the GOVERNOR GENERAL, and I have it in command to state that he is asked by one branch of the Parliament of Canada to exercise the royal prerogative by disallowing certain Acts of the New Brunswick Legislature. It is stated that these Acts were passed for the purpose of legalizing certain assessments made under the Common School Act of 1871, and in amendment of such Act, the object sought in getting these Acts disallowed is to give the

parties complaining of the School Act an opportunity of bringing such Act judicially before HER MAJESTY'S Privy Council.

"Now HIS EXCELLENCY has been already instructed by HER MAJESTY'S Government, in the opinion of the law officers of the Crown in England, that the Act in question was within the competence and jurisdiction of the New Brunswick Legislature. Such being the case, HIS EXCELLENCY deems it his duty to apply to HER MAJESTY'S Government for further instructions in the matter.

"I further desire to state that considering the gravity of the question, and the number of HER MAJESTY'S subjects complaining of the School Act, the Government will be prepared to ask Parliament for a vote of money to defray all the expenses of the appeal."

Those instructions were received by a letter dated 30th June 1873, from the Secretary of State for the colonies, in which the following occurs :—

"I referred to the Law Officers of the Crown your Lordship's despatch of the 27th May last, in which you requested instructions as to the course you should take with regard to the resolution of the Canadian House of Commons. I am advised :—

"1. That these Acts of the New Brunswick Legislature are, like the Acts of 1871, within the powers of that Legislature.

"2. That the Canadian House of Commons cannot constitutionally interfere with their operation by passing a resolution such as that of the 14th of May last. If such a resolution were allowed to have effect it would amount to a virtual repeal of the section of the British North America Act, 1867, which gives the exclusive right of legislation in these matters to the Provincial Legislatures.

"3. That this a matter in which you must act on your own individual discretion, and on which you cannot be guided by the advice of your responsible Ministers of the Dominion."

The House will observe that the resolution which I have the honor to submit does not at all interfere with the opinions expressed by the law officers of the Crown as to the competency of the Legislature of New Brunswick to pass the Acts in question. Its root is deeper than that altogether. The point is that the instruction given with reference to a particular case—given with reference to a particular case as to which the local executive of one of the Provinces had asserted the Imperial Government was aware that this Act of disallowance was an Act which the GOVERNOR GENERAL was to exercise free from any responsibility to his Ministers of the Parliament of the Dominion. It was given with reference to a question of disallowance, with regard to which his Canadian Ministers had advise him to draw his inspiration from across the water. This instruction is that the question of disallowance is a matter in which HIS EXCELLENCY must act on his own individual discretion, and on which he could not be guided by the advice of his responsible Ministers. It appears to me that it is impossible such a doctrine can be maintained consistant with the spirit and letter of the Constitution, I am not here to deny for a moment that there is that portion of the executive power and authority in the GOVERNOR GENERAL that he may at any moment, in reference to any of those matters on which he is called upon to concur or disagree with his Ministers, take the responsibility of disagreeing, but what this House is called upon to say is that in this matter especially a grave mistake has been made. The GOVERNOR GENERAL has no such power. Under the British North America Act that power is vested in the GOVERNOR GENERAL in Council, and the GOVERNOR GENERAL can not act on his own individual discretion. He cannot disallow except on the advice of his Ministers. Such advice being tendered it is competent for him to take the responsibility of saying, "I believe I ought not to follow your advice." It is for his Ministers to withdraw that advice or withdraw themselves from his service, and then the issue is, whether the Ministry or the GOVERNOR GENERAL is right. That is the question which arises in a disagreement between the Sovereign or the representative of the Sovereign and responsible Ministers. But that is not the point here. The point here is that there is an assertion that the power lies with the GOVERNOR GENERAL of disallowing Local Acts, to be exercised by him individually, at his individual discretion, and in respect of which he cannot be guided by the voice of his responsible Ministers. I maintain that there is no such power. I maintain that the language which is contained in this instruction is of such a character that if it were acceded to by this Parliament, it would be destructive of the principle of responsible Government. That being the case, I conceive it to be the duty of this House, in some way or other, to re-affirm, as was often done in earlier days, the doctrine of responsible government, and to declare in the particular instance which has brought this subject before the House, that the power of dis-

allowing Local Acts is vested, not in the GOVERNOR GENERAL, but in the GOVERNOR GENERAL in Council, and that his action when he takes the responsibility, which he has the right to take of disagreeing with the advice of his Council, is action to be taken by him under that sense of responsibility, which in all cases under our constitution must attend such action—the responsibility that he thereby places an issue between his Ministers and himself before the country. That is the whole of my proposition. I do not think it would be useful to add words to it. It appears to me that we ought to record our protest against, and our dissent from, the instructions contained in the despatch I have referred to.

Hon. Mr. MACKENZIE—With the general scope of the remarks of my hon. friend from South Bruce, I entirely agree. I think there can be no doubt of the fact that the Constitutional Act provides that the Executive Council must necessarily advise the GOVERNOR GENERAL in relation to the disallowance of Local Acts. The 50th, 57th and 90th Sections of the Confederation Act provide explicitly for that, reading them the one with the other, and there has not been, so far as I am aware, any case in which a different course has been taken; in other words, that has been the invariable practice, in accordance with the recognized constitutional usage. Why such a despatch was written I cannot well understand, but, at all events, the doctrine enunciated therein cannot possibly be recognized in this country, nor can it be recognized in England, or any other country where free Parliamentary Government exists. But while I think that there can be no question about this, and while I entirely believe in the assertion of our rights whenever those rights are assailed —while I believe that it is the duty of the Government to make that assertion in the first place and that Parliament through the Executive, or the Executive acting upon Parliament, should take such action as would vindicate the rights of the Government and of the people—while I admit all this, I think it is perhaps not convenient that we should, by formal resolutions, place on the journals the assertion of a doctrine that can hardly be gainsaid—the assertion of a self-evident principle in regard to Executive action under our Parliamentary system, because it might lend color to the idea that there may possibly be some party who doubted that those constitutional rights which my hon. friend has asserted so properly did exist, or were strictly in force by Statute Law. The discussion is of course perfectly proper, but I would strongly advise my hon. friend, having asserted the principle as he has done—having placed his views on record by making the motion he has—not to press the matter any further by having a formal resolution passed. As I have said it is really admitted on all hands, in this country at all events, and I think also by all those in England who have carefully read our constitution. I can only account for the observation made in this despatch by supposing it to be some hasty expression of opinion made without considering its effect. At all events I strongly recommend that this motion be not pressed any further. It will of course go upon the records, and my hon. friend will have had the opportunity of expressing his opinion which I am sure is the opinion that must prevail with every one in this House.

Sir JOHN A. MACDONALD—Since 1841 the principle of responsible Government has prevailed in Canada, and although at first it was not always carried out, yet it was and is as firmly fixed in Canada as it is in the Mother Country, so far as is consistent with our relation to the paramount authority. That responsible government ought not to be infringed upon for a moment. It is the birthright of many of us, as well as the right of those of us who lived before the doctrine was acceded to and established. There can be no doubt about that. The principle is affirmed in the preamble to the Confederation Act, where it is said that the Provinces have expressed a desire to be Federally united, with a Constitution similar in principle to that of the United Kingdom. Therefore the doctrine as laid down in the resolution and clearly enforced by the hon. member for South Bruce can not and ought not to be contravened, and any serious infraction of it would be strenuously resisted. The right of disallowance of any Act of a Colonial Legislature by the QUEEN herself, in her personal capacity and by virtue of her royal prerogative, separate from the advice of her advisers, has long since passed away. The American revolution had pretty well settled that question.

But besides that, it is expressed in the Confederation Act that no Act passed by this Parliament can be disallowed except by the Queen in Council. Any instrument signed by the Sovereign herself, no matter how formal or how strong, by which she declares that by her own royal will she disallows any Act of this Parliament would have no effect whatever unless it was the act of HER MAJESTY in Council. If the Order in Council is not made, the Act will remain in force, no matter how strongly HER MAJESTY might express her personal desire and will that it should be disallowed. The 90th section of the Confederation Act is identical quoad the Acts of the Provincial Legislatures, with the 56th section, merely substituting the GOVERNOR GENERAL for the QUEEN, so that it should read GOVERNOR GENERAL in Council, and therefore, of course, the GOVERNOR GENERAL alone cannot disallow an Act. If he attempted to do so his attempt would be in vain; it must be done by the GOVERNOR in Council, that is, by the GOVERNOR and his Council, and they are of course responsible for the issue of the order. Their legally, constitutionally and politically responsible for it. With respect to the two Acts which gave rise to the despatch in question, the late Government were responsible, they held themselves responsible, they could not avoid being responsible, and they now consider themselves responsible. In the first instance the question of the disallowance of the School Act of 1871 came before the Government, and of course it had to be dealt with. My hon. friends opposite have had a painful experience of the delicacy of that subject, and it was pressed upon us as seriously then as it has been pressed upon them since. The GOVERNOR GENERAL, by advice of his Council, invoked the opinion of HER MAJESTY'S Imperial advisers, and the Government were responsible for recommending the GOVERNOR to take that course, and they were also responsible for not disallowing the Act, but allowing it to remain in operation. Then when that resolution which I may say I think my hon. friends opposite will now admit was rather ill-advised, but it was a political move, and it had its success, and I do not complain of such political moves, especially if they are crowned with success—when that resolution was passed by this House, expressing their regret that HIS EXCELLENCY had not been advised to disallow these acts, of course it was conveyed by myself to the GOVERNOR GENERAL and I was responsible for laying that resolution before him. It was suggested and advised by the Government of the day that as the Imperial Government had been advised as regards the original Act they should be advised with respect to the other Acts which were assailed by that resolution of the House. The Government were responsible for that advice and for deferring or refusing or omitting to carry out the expressed views of this branch of the Legislature. I must say that when the despatch which has been commented upon by the hon. gentleman arrived here it rather surprised me; it went infinitely farther than I had idea it would go, and I say at once that I think the Minister who sent that despatch made a grave error in constitutional law. There is no doubt that the GOVERNOR GENERAL can only disallow Provincial acts by consent of his Council and they must assent in the most formal manner; their assent must be made an Order in Council. I can have no doubt about that question. As the hon. member for South Bruce has truly said, the GOVERNOR GENERAL or the Sovereign may refuse to accept the advice of his Ministers, and then it is for the Ministry of the day to yield their opinion to the GOVERNOR GENERAL and adopt his opinion and make it their own and be held responsible for it or say they will not be responsible for it and therefore HIS EXCELLENCY must find other advisers. There is no doubt that this is the constitutional principle, and there is no means of avoiding that responsibility. The question now is whether the hon. member for South Bruce will press his motion or be satisfied with the discussion and expression of opinion and accept the advice of the First Minister. Upon that point I can make no suggestion; it would be out of place for me to do so, but no doubt the hon. gentleman will be guided by his sense of what is right. I can only say if the resolution is pressed I shall vote for it.

Hon. Mr. CAUCHON — Of course responsible Government has been established in this country since 1841, but it was only a principle affirmed by our Legislature assented to by the Governor. It was not a part of our written constitution.

There was nothing in the law to that effect, and the result was that two or three years, afterwards a Governor whose honesty and ability were undoubted, but who came from a country where despotism prevailed, where there was no responsible Government, was not disposed to accept that principle, as he came to this country with the notion that there could be no other Government than a despotic one for a colony. That was Lord METCALFE whose honesty and ability, I respect as much as any man. We had to affirm the principle of responsible Government over and over again ; we fought for it at the polls, and we carried it after a great struggle with the Governor. The battle was in the colony and not in England. Now, we have a written constitution, modelled after that of England, but of late there appears to be a tendency in England to deny this principle. It had been affirmed by resolution, and adopted in practice, but there is no express statutory provision on the subject. That being the case, when we find the principle denied by a Colonial Minister it is for us to express our opinion upon the subject, and to declare most explicitly that we intend to maintain our constitution intact and not expose it to be changed by the whim of any Minister in England. I think therefore that we should pass this resolution and let the Government of England understand that while we do not wish to infringe the privileges of the Crown we are determined to stand by our rights.

Hon. Mr. HOLTON—The declarations of the gentlemen who have spoken upon this question are so uniform and so satisfactory, that there really seems to be very little to be said on the merits of the question. I simply rise to say a word upon the point referred to by the First Minister as to the expediency of withdrawing this motion. Of course if the hon. member for South Bruce sees his way to withdraw this motion, I can have no possible objection, and if after this conversation the First Minister remains of opinion that the motion had better be withdrawn, I would unite with him in asking my hon. friend from South Bruce to withdraw it. But I desire to point out what I think are valid reasons in favor of a contrary course. We are led to the discussion of this matter by a certain despatch—the despatch of June, 1873. We have heard the main doctrine of that despatch challenged by hon. gentlemen on this side, and denounced even in stronger terms by my right hon. friend opposite. This despatch is in our Journals. It has so far as we know never been answered. If my right hon. friend, taking the view which he now takes of this despatch, had formulated an answer to it by Minute of Council and brought the matter in some way to issue, it might not be necessary for us to take any action now. If the First Minister has brought, or if he will now say that he will bring this matter to issue in a friendly way by means of a Minute of Council and a despatch that he will put this matter in the way of reaching a proper understanding, then I think we shall have some valid grounds for sustaining him in urging the withdrawal of the motion of my hon. friend from South Bruce.

Hon. Mr. MACKENZIE—I have only to say one word with reference to what my hon. friend from Chateauguay has said. He has raised one point which I did not think of alluding to, but there is, however, no harm in saying that the Government did feel it their duty to call the attention of the Imperial Government to this matter in the usual way ; and having said what I did to my hon. friend from South Bruce, I do not feel disposed to say anything more on the subject. The principle has been so well established in this country, and always has been since the close of the long and successful struggle of the party to which I belong with Lord METCALF when he set the principle at defiance and caused the retirement of the then Liberal Administration. The principle I say has been so thoroughly established that no one now—my hon. friend opposite then be longed to the party that assisted Lord METCALF in his attitude of hostility to this principle—no one now on either side but will frankly state that it is impossible to endorse the doctrine laid down in the despatch in question. But I do see an objection to placing on the Journals of the House anything affirming an established principle in our system of Government.

Hon. Mr. HOLTON—Unless it is challenged.

Hon. Mr. MACKENZIE—No doubt it has been challenged in this despatch, and to that extent the issue has been raised, and the issue would have been complete if

the GOVERNOR GENERAL had acted upon the recommendation in that despatch, and the Ministry of the day had yielded to it and sustained him in that position, or had resisted it and taken the natural consequences, namely, of resigning. As it is, it is raised to a certain extent, but I am quite sure the unanimous expression of opinion in the House, which must represent the unanimous opinion of the country, will be abundantly sufficient without our inserting a truism upon our Journals. As I stated the Government felt bound, their attention having been called to the matter sometime ago, to take such action as the Executive alone can take.

Hon. Mr. BLAKE—Had my hon. friend not made the last satisfactory observations he has made I should have felt very great reluctance to withdraw the resolution temporarily, but his last observations have removed any feeling of difficulty on that subject. If the late Government did not think fit to take any action upon this despatch, which struck my hon. friend from Kingston with surprise when he received it, we must remember that the despatch was received at a comparatively late day, and when he was otherwise much engaged. If I found that a Liberal Government had remained in office up to this time with this despatch before them without taking any action upon it, I should not find the same excuse which I readily accord to the member for Kingston, both with reference to his principles and his position, for not having taken any steps with reference to this matter. But I must express a moderate measure of dissent from the doctrine that it is not fitting that this resolution should go upon the Journals because it happens to be true. I could only wish that all the entries in our Journals possessed the same admirable quality. I do not think that under other circumstances there would have been any impropriety in our placing on record an assertion of the general principle of responsible Government. But it having been announced that the Executive has taken action I cannot doubt that my duty is to withdraw the motion. Parliament will meet again in a short time, and though I have no doubt what the result of the Executive action will be, yet, if it should be unsatisfactory it will be competent for Parliament to deal with the subject unembarrassed by any such considerations as these addressed to us to-day. I cannot doubt that the happy unanimity of this discussion will tend to strengthen the hands of my hon. friend and to produce that result which we all desire. I am glad the views contained in this resolution have met such unanimous acceptance. I endeavored to present it to the House in such moderate terms as would expose the constitutional doctrine without challenging any reply. I might have referred to other topics and have used stronger language, and I would have done so had I expressed fully my sentiments. With the leave of the House I will withdraw my motion.

Hon. Mr. MACKENZIE—My hon. friend must not suppose that I objected to placing his motion upon the journals because they were true, but I thought it inadvisable and unnecessary to record a truism upon our journals.

Mr. IRVING—I hope my hon. friend does not mean that any gentleman will be estopped from taking another view upon the subject on another occasion.

THE SALT INTERESTS OF THE DOMINION.

Mr. FARROW moved the order standing in his name for a Special Committee on the Salt Interests of the Dominion be discharged, remarking that he would take the earliest opportunity of submitting the motion next session.

The order was discharged.

RECIPROCITY WITH THE UNITED STATES.

Mr. PLUMB moved an address to His EXCELLENCY the GOVERNOR GENERAL, praying that he will be pleased to cause to be laid before this House a statement showing the total amount expended and disbursed or agreed to be paid by this Government, for the furtherance of the recent negotiations with the United States for a Treaty of Commercial Reciprocity. He desired to offer a few remarks in order to refute certain statements which had been made, which were exceedingly prejudicial, not only in regard to the negotiation of a Commercial Treaty with the United States, but also in respect to the interests of the Dominion. The condition of the country since the abrogation of the Reciprocity Treaty had never been such as to warrant the employment of negotiators to frame a treaty with the United States.

different to that which was abrogated. It had been stated that the prosperity of this country, since the abrogation of the treaty, had not been satisfactory, and he desired to show that such was not the fact. It was said that our population, which was the touch-stone by which we were to ascertain our prosperity, had increased only 13 per cent. during a certain period, whereas during the same period the population of the United States had increased 23 per cent., as given by Mr. JENKINS in a recent speech at Manchester. It must be remembered that that increase of population in the Republic was due to immigration and to the exceptional condition of the country at the time. Owing, in fact, to the large wages commanded by artizans and the large bounties given to soldiers during the war, the effect of that excessive immigration was now seen in the commercial reaction which has set in, and the population of the United States was now rapidly decreasing. There never had been a time in the History of Canada when its commercial prosperity was more marked than at the time when the negotiations for a new treaty were recently opened at Washington as was shown by the following statistics :—In 1873 the shipping of Nova Scotia amounted to 430,000 tons, New Brunswick 300,000, and Prince Edward 40,000 ; the city of St. John owned 250,000 tons, and was the fourth town in regard to shipping in the Empire. The Dominion Fisheries produced in 1870 $6,577,392, and in 1871 $9,570,-116. Our debt of $120,000,000, was an average of £6.3.3 per head, and more than half of it was represented by public works, canals, harbors, light-houses, river improvements and railways, and over $40,000,000 by railway and Provincial securities. The trade in 1869 was $128,000,000, and increased so rapidly that in 1873 it amounted to $217,000,000. Our bank capital which was $30,000,000 in 1870, aggregated $55,000,000 in 1873. The bank circulation of Ontario and Quebec was $9,000,000 in 1864, and $33,000,000 in 1873 ; the deposits in 1864, amounted to $24,500,000, and in 1873, $76,000,000. During late years the Dominion had added British Columbia to the Confederation, a Province which would prove an El Dorado. Its coal fields were capable of yielding 16,000,000 tons to the square mile, and the coal measures of Nanaimo were 2,500 feet deep. It was argued that in the treaty Canada would derive great benefit from the trade flowing through the impossible Caughnawaga Canal ; but it was forgotten that we had never secured the right of the navigation of Lake Champlain. It was moreover said that we would secure the American Coasting Trade by obtaining the right for Canadian vessels, of being nominally placed on the American registry ; but that idea was entirely incorrect. Undoubtedly, if such a treaty as that proposed were to come into force, it would destroy our manufacturing industries, which could not compete with the manufactories of both England and the United States. With respect to our manufactories of agricultural implements, if we were able to compete with American manufactories it would be found that we could not send our machinery into their markets in consequence of the operation of the Patent Laws. He considered that the selection of the commissioner sent by the Government to the United States was eminently proper under the circumstances ; but that gentleman should have possessed sufficient political astuteness to have known that the Government, with whom he was attempting to negotiate a treaty, was not in a position to make such a treaty ; because it was on the point of dissolution and that party found itself during the last elections no longer able to retain power. A still more serious objection to the treaty was that while Canada was committed to its provisions, the American Government remained free, and they had deposited it in their archives to bring it forward on the next occasion when Canadian Commissioners endeavor to negotiate a reciprocity treaty. Canada had, to use the expression of the commissioner himself, flung concession after concession at the heads of the Americans until we had nothing left to offer them in return for negotiating a treaty. He hoped that some statement would be made by hon. members on the Government side of the House on this question.

The resolution was carried.

CANADIAN PACIFIC RAILWAY TELEGRAPH.

Hon. Mr. TUPPER moved an address to His Excellency the GOVERNOR GENERAL for copies of all specifications and contracts for any portion of a Canadian Pacific Railway Telegraph, with all correspondence thereto. He regretted that the

course of public business rendered it impossible to reach the motion at an earlier date; and he had entertained a hope that the fact of that motion appearing on the paper should have been sufficient to have induced the Government to discharge what he would endeavor to show was a plain duty. The hon. the First Minister had stated to the House that the Government during recess had made contracts for the construction of the line of the Canada Pacific Railway Telegraph extending from the shores of Lake Superior across to Red River, from Red River to Fort Pelly, and from thence across the Rocky Mountains to Cache Creek, a very short distance from the Pacific coast. The Government, no doubt, were invested with large powers, but they held these powers under certain constitutional restrictions and they could not disregard, however important were the public interests to be served, the restrictions imposed on them by constitutional practice without infringing the privileges of Parliament and establishing precedents that were very dangerous in the conduct of public business. He would endeavor to show, that these contracts in the first place, were made without any authority of law, that the Government had not power to make any contract for the construction of a Canadian Pacific Railway Telegraph, and in the next place if they had had a law providing for such construction they had not the power to make the contract, because the money was not voted, and it was laid down in clear and express terms that a Government could not make an absolute contract without an appropriation from the House or the contract must be subject to the approval of Parliament. If the Government had laid the contracts on the table as he held they were bound to do, the House would have been in a position to judge whether these contracts should or should not have been made. There was no law providing for the construction of a telegraph, for the Act simply provides that the laws of electric telegraph shall be constructed along the railway over its whole extent, so soon as practicable after the location of the line shall have been determined upon The policy of that law was expressed on the face of it. The successful operation of a line of railway could only be carried on in connection with a telegraph line alongside the railway. If the telegraph were a few miles distant from the road it would be of comparatively little value. The law provided, and it was in accordance with common sense, that the telegraph should not be in advance of the location of the railway, and it might be in advance of the construction of the road because it would be useful for construction purposes as well as for operating the road. The contracts entered into by the hon. First Minister during recess of Parliament involved an expenditure of one million dollars of the public money. It was desirable that the House should consider the matters involved by making such an expenditure on telegraphs before the railway was located. In one of the settled and well known districts the Government had changed the location thirty miles from the point originally proposed; at Lake Superior a change of sixty miles had been made; and if the road in British Columbia were located as indicated by the hon. First Minister in his recent speech, the telegraph would be one hundred miles from the railway. He asked the House if it was common sense policy, assuming that the Government had a law authorising their action, which they had not, and had an amount voted for the work, which they had not,—that the Administration should expend one million dollars on a line of telegraph which was located so as to be utterly useless either for the construction or operation of the road. He would now show that the road had not been located when the contracts were let. The hon. First Minister had himself stated to the House that one of the objects of constructing the telegraph line was to facilitate the successful prosecution of the surveys. He (Mr. TUPPER) did not approve of the expenditure of a million dollars for the purpose of facilitating surveys, but the explanation afforded proof that the road had not been located, otherwise surveys would be unnecessary. The hon. First Minister stated that the Government had given out contracts from Lake Superior to Fort Garry to Messrs. OLIVER, DAVIDSON & Co., from Fort Garry to Fort Pelly to Messrs. SIFTON, GLASS & Co., from Fort Pelly to Fort Edmonton, to Mr. WM. FULLER, from Fort Edmonton to Cache Creek to Mr. F. J. BARNARD. He fully approved of the constitutional doctrine laid down the other night

by the hon. member for South Bruce, and found in Mr. TODD'S work on Parliamentary Government, and yet, notwithstanding constitutional authority, notwithstanding there was no vote of money for the purpose, notwithstanding that the law required that the railway should be located before the telegraph line was constructed, the House was coolly told by the hon. First Minister that he had made contracts with friends of the Government to the extent of one million dollars for a telegraph line. The hon. First Minister by constitutional practice and by the practice of previous Governments, was bound to lay on the table the contracts, and obtain after the fact what he ought to have obtained before it, the approval of Parliament thereto.

Hon. Mr. MACKENZIE said there was no objection whatever to the motion. He had intended to bring the contracts down before now, but the last of them was only executed two or three days ago. He would lay them on the table without any further delay, and also the contracts entered into for the steel rails, though some of them were not yet quite completed.

Mr. BOWELL said before this motion was carried something more than the Address should be put upon record. The hon. member for Cumberland had shown that the Government had exceeded their powers. From the speeches made during the present session the House was aware of this fact—that the route of the Pacific Railway, even through the prairie portion of Manitoba, had not yet been located, and if it were not located, it would only be an act of courtesy if the Premier explained on what authority he had entered on a contract so directly at variance with the provisions of the Canada Pacific Railway Act. He (Mr. BOWELL) therefore moved that the following words be added to the Address: "and this House regrets that contracts have been made by the Government for the construction of a line of telegraph from Lake Superior to Cache Creek before the location of the line of the Canada Pacific Railway has been determined upon." He did not propose to occupy the time of the House in discussing the motion or by enlarging upon the subject. He moved this amendment upon the broad principle that the Government, however strong they might be, had no right to enter into contracts from which very large expenditures of money must necessarily flow, without having at least a semblance of law to justify their acts, or before having submitted these contracts for the approval of Parliament.

Hon. Mr. MACKENZIE said the line had been located where the contracts were let and he conceived that the Government were acting acccording to law. They had asked the House for money to carry out what was provided for last session in the Act which declared that a line of telegraph should be constructed in advance of the Canada Pacific Railway.

Mr. BOWELL—But after its location.

Hon. Mr. MACKENZIE—Then I contend we are constructing after the location of the line, where they are erecting the telegraph at present. The line is located by the Chief Engineer and his assistants.

Mr. BOWELL asked if the line was located from Lake Superior to Cache Creek.

Hon. Mr. MACKENZIE said it was located from Lake Superior to a certain point, and from that point to Rat Portage it was not located. Then from Rat Portage to the Red River it was located; and from there westward it was being located.

Mr. SCHULTZ said the only portion of the work that had been done was that under of the Pacific Railway to be useful in the construction of that work. He wished to know if the route of the railroad had been so far established as to admit of the contract of Messrs. GLASS, SIFTON & Co., about 23 miles, and that had not been placed where the line was completed by any means. No location had been made there, and so far as he (Mr. SCHULTZ) could understand, no location was intended to be made where that line was put up.

Hon. Mr. MACKENZIE said the hon. gentleman's statement was incorrect.

Mr. PLUMB said the line must be put up along the route of the location of the telegraph line, or were the contractors to locate the line for the Government.

Hon. Mr. MACKENZIE said he had already stated the line was to be put up where the road was to be located (these

being the Engineer's instructions based upon his original suggestion) and he did not know that a single mile of telegraph line was being erected anywhere except on the line of the road.

Mr. KIRKPATRICK asked the Premier if he could tell the House whether the line was erected from Fort Edmonton to Cache Creek. Unless this had been done, and it was known definitely where the line of railway was to run the contracts had been improperly given out. He also wished to know in reference to this contract for number one section given to OLIVER, DAVIDSON & Co., whether their tender was the lowest, and if not who were the lowest tenders, and why the contract was refused to them, because he had been informed by letters received within the last few days that the parties who claimed to be the lowest tenders offered a cash security on their contract. One of their sureties was a bank in Western Canada, and the other a responsible merchant in Toronto. He (Mr. KIRKPATRICK) was informed that they offered to deposit a cash payment if necessary but the offer was nevertheless refused.

Hon. Mr. MACKENZIE said the hon. gentleman's information was incorrect. The contract was first assigned to SMITH, WADDELL & Co., whose tender was the lowest thereon. After waiting some weeks they were unable to comply with the terms —that was—to give security. The next lowest tenderers were then informed that the contract would be given to them on their furnishing security. They were not able apparently to furnish it, but made arrangements with the parties whose names were now in the contract, to furnish security.

Mr. KIRKPATRICK said he was aware that SMITH & WADDELL'S tender had not been accepted, but was informed that they had offered good security.

Hon. Mr. MACKENZIE said after the other parties had been informed that their tender was accepted, some persons came to the Department on behalf of SMITH, WADDELL & Co., and stated that if they were given an opportunity they would be able to furnish security. It was then too late.

Sir. JOHN MACDONALD said if the contracts were let before the the line of railway was located, a gross violation of the privileges of this House had been committed, because the Government had no authority to let contracts until after the line was located. They all knew what the location meant. It meant that the road should be marked out just as was the foundation of a house before it was built. Yet without any such location being made in this instance here were the contracts let, by which the contractors bound themselves to finish the line before the 1st Oct., 1875, and he understood they were now actually engaged at work between Forts Garry and Pelly.

Hon. Mr. MACKENZIE—That portion of the route is located.

Sir JOHN MACDONALD—What! located from Fort Garry to Fort Pelly?

Hon. Mr. MACKENZIE—Yes.

Sir JOHN MACDONALD said the line of railway he understood was to be located 30 miles north of Fort Garry.

Hon. Mr. MACKENZIE said there were two Fort Garrys. The place referred to by the hon. gentleman was Winnipeg. The Fort Garry to which he (Mr. MACKENZIE) referred was the lower one.

Sir JOHN MACDONALD—That is the Stone Fort—the one Mr. MULLIGAN had offered to defend against Riel. The hon. Premier, in his speech of the 5th March, stated that it was proposed to cross the Red River some 23 miles north of Winnipeg, and in the same speech the hon. gentleman stated that the line was not located for which these contracts were now given out. The hon. gentleman was therefore guilty of a gross illegality, and serious breach of the privileges of Parliament. Contracts had been let where not a single stake had yet been driven, and the work was to be completed by the 1st Oct. next. It was quite clear from the hon. gentleman's own words that these contracts were let in advance of the location of the road.

Hon. Mr. MACKENZIE—That is the hon. gentleman's interpretation of my words.

Sir JOHN MACDONALD said they were the hon gentleman's own words, as found in the *Hansard*. It was clear that a survey was not made, because he stated in his speech of the 5th March that he felt from the first it was absolutely indispensable to have telegraphic communication with the various points on the line in order to prosecute a successful survey and to lay out the line upon which the road

should ultimately be built. These contracts were therefore illegal, and if the hon. gentleman spent a single farthing on them the Government would be putting their hands into the public treasury without the authority of the law, and would be guilty of a great illegality. This House would be bound to do what had been done in the case of the CHURCHWARD contract, in order to vindicate the rights of Parliament, and declare all these contracts absolutely void and illegal, without any binding effect or obligatory force whatever,

Hon. Mr. MACKENZIE said the language he had used was quite clear. There was nothing more important for the survey between Fort Edmonton and the Rocky Mountains than to have a telegraph line built to Fort Edmonton, and a party of surveyors had been locating a line for months back from the Red River westward, and when the hon gentleman raised a quibble about Fort Garry, it was unworthy of him. He knew very well that Fort Garry had been used as designating the whole of that section of the country.

Sir JOHN A. MACDONALD—It is entirely unworthy of the hon, gentleman to give out contracts contrary to law.

Hon. Mr. MACKENZIE—The hon. gentleman has no proof of what he states, and his assertion is not law. I am prepared to discuss the question with him at any time. He ought to be the last to charge any one with doing things contrary to law. If we were to trace back the history of the hon. gentleman there would be no denying that fact. These contracts were given out in accordance with the very letter of the statute, and the House has moreover voted money to carry them out.

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

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AFTER RECESS.

BRIDGE OVER RIVER L'ASSOMPTION.

The House went into committee on Mr. BABY'S Bill to authorise FRANCOIS XAVIER GALARNEAU, and others to build a bridge over the river L'Assomption in the Parish of L'Assomption (Mr. DEVLIN in the chair.)

The committee rose and reported the Bill, which was read a third time and passsed.

CANADA CAR COMPANY.

The House went into committee on Mr. MCLENNAN'S Bill to amend the Act incorporating the Canada Car and Manufacturing Company (Mr. HAGGART in the chair.)

The committee rose and reported the Bill, which was read a third time and passed.

QUEBEC AND LAKE HURON R. R.

The House went into committee on Mr. CARON'S Bill to incorporate the Quebec and Lake Huron Direct Railway Company (Mr. BABY in the chair.)

The committee rose and reported the Bill, which was read a third time and passed.

MONTREAL NORTHERN COLONIZATION R. R.

The House went into committee on Mr. DESJARDIN'S Bill respecting the Montreal Northern Colonization Railway Company (Mr. CARON in the chair.)

The committee rose and reported the Bill, which was fixed for a third reading to-morrow.

RAILWAYS EQUIPMENT COMPANY.

The House went into committee on Mr. BLAIN'S Bill to incorporate "The Dominion Railways Equipment Company" Mr. DEVLIN in the chair.

The committee rose and reported the Bill, which was read a third time and passed.

CHANGE OF NAME.

The House went into committee on Mr. CARON'S Bill to change the name of the St. Lawrence Steam Company (Mr. BABY in the chair.)

The committee rose and reported the Bill, which was read a third time and passed.

HURON AND ONTARIO SHIP CANAL.

The House went into committee on Mr. BLAIN'S Bill respecting the Huron and Ontario Ship Canal Company (Mr. MACDOUGALL, East Elgin, in the chair.)

The committee rose and reported the Bill, which was read a third time and passed.

SENATE AMENDMENTS.

The amendments made by the Senate to the Bill to amend the Act incorporating the Montreal Board of Trade, and to the Bill to incorporate the Canadian Steam

User's Association, were read a first and second time.

SHORTEST ROUTE TO EUROPE.

Mr. GILLMOR wished to called attention to the fact that he had just seen the report in print of the Committee on the Shortest Route to Europe, and he wished to say that he had never assented to it. As a member of the committee he understood that it was agreed only to report the evidence, and give no opinion. He therefore dissented from this report.

Mr. MACKAY (Cape Breton) suggested that it would be well for the Chairman of that Committee to make some explanations.

Hon. Mr. ROBITAILLE said he did not know whether the hon. gentleman referred to the report of last session or to some report of this session. If reference was made to the report brought in by him last session as Chairman of that Committee, he could only say that every word of that report was read over to the committee. and adopted by the whole committee. Moreover, the committee authorized him as the Chairman to send out questions to various parties, which he did, and the answers that were received were now in the hands of the printer.

Mr. GILLMOR said he attended what he supposed was the last meeting of the committee, and not one word of this report was read at that meeting. The Chairman stated to him that the report would be merely the evidence taken, and that no opinion should be expressed in it.

Hon. Mr. ROBITAILLE said the meeting of the committee was put off from day to day till the last day of the session, but the report was regularly adopted.

Mr. MACKAY observed that so far as he remembered the report was read over to him, and he assented to it, but with reference to any formal meeting at which the report was adopted his memory did not serve him. He thought the report was brought informally before some members of the Committee, and that they were individually asked to look over it.

Mr. CARON said that so far as he remembered the report was read over to every member of the committee. He was present and heard it read, and if any member agreed to it without hearing it read he had no right now to object to it.

Mr. GILLMOR remarked that the report might have been adopted after he left Ottawa, as he left a few days before the close of the session. But he certainly never assented to it, and he understood from the Chairman before he left that he was only going to report the facts.

Hon. Mr. ROBITAILLE—I suppose the hon. gentleman was not at the committee meetings more than three or four times during the whole session.

SUITS AGAINST THE CROWN.

Mr. IRVING'S Bill to provide for the institution of suits against the Crown by petition of right and respecting procedure in Crown suits, was read the third time and passed.

INSPECTION OF STAPLE ARTICLES.

The House went into Committee on Mr. FORBES' Bill to amend the Act to make better provision for the inspection of certain staple articles of Canadian produce, (Mr. GOUDGE in the chair.)

The committee rose and reported the Bill, which was then read the third time and passed.

RAILWAY ACT.

Mr. JETTE'S Bill to amend the Railway Act of 1868 was read the second time and referred to the Railway Committee.

INTEMPERANCE.

Hon. Mr. HOLTON suggested that the House now proceed to the consideration of Government orders, as they had now finished the serious business on the order paper under the head of Public Bills and Orders.

Mr. ROSS (West Middlesex) said he had an order on the paper which he did not wish passed over, namely, the order for the House to go again into committee to consider as to measures best calculated to diminish the evils of intemperance. This would not take up much time, as all he wanted now was for the House to affirm the principle of prohibition. That being done, he would be content to allow the question to rest for this session.

Hon. Mr. HOLTON—I do not think my hon. friend can make any useful progress with this order this session. If he got the House into committee on his resolution the balance of the evening would be spent and no good would be done.

Mr. ROSS—All I want is to pass this resolution through committee. After the full discussion we have already had on this subject I presume the House is not disposed to take up much more time with it, but is prepared to deal with the resolution without further debate. I move that you do leave the chair for the House to go into Committee.

Mr. SPEAKER — The member for Centre Wellington has a notice which takes precedence on the Order Paper.

Hon. Mr. HOLTON—I move that the House do now pass to the consideration of Government Orders.

Mr. ROSS—This is treating this important question very cavalierly.

Sir JOHN A. MACDONALD—It is throwing cold water upon it.

Mr. ROSS—I beg to offer an amendment.

Mr. SPEAKER—The motion to proceed to Government Orders is equivalent to moving the previous question and does not admit of an amendment.

Mr. ROSS said he would then speak to the motion. The question of a Prohibitory Liquor Law was attracting a very considerable amount of public attention, and in his judgement the proposition that the House affirm in a very general way the principle of prohibition was a reasonable one. It was a step which might have been taken earlier in the session had it not been for the resolutions moved in amendment to his resolution. They were now asked to stave off this question for this session. He could assure his hon. friend that this course would avail very little, for he proposed next session to take this matter up again. It would not be allowed to rest in this way. He had hoped to have got Parliament to affirm the principle this session, and he was free to admit that had this been done it would have been agreeable to himself personally. because some people supposed that on account of some alliance, that he need not refer to here, he had willingly and rather dishonestly to his temperance friends in the country allowed this matter to be covered up. He would take this opportunity to repudiate that insinuation. It was no fault of his that they had not made greater progress with this question. However, if it was to be disposed of in this cavalier style, if, as the right hon. member for Kingston said cold water was to be thrown upon the movement, he must submit to the inevitable with the assurance that perhaps the question would be in such a position next session that cold water would not so very easily stifle it.

Mr. MACDOUGALL (East Elgin) said he hoped the House would assent to the proposition of the hon. member for West Middlesex. He was proceeding to discuss the question when,

Hon. Mr. HOLTON said if there was to be a discussion he would withdraw his motion if the House desired it. (No, no.) He simply wanted to get on with the business.

Mr. SPEAKER said the motion could not now be withdrawn without the consent of the House.

The motion was then carried.

On motion of the Hon. Mr. CARTWRIGHT the House went into Committee of Supply on Supplementary Estimates for the financial year ending 30th June, 1876; Mr. SCATCHERD in the chair.

Items 1 and 2 were passed without discussion.

On item 3, $60,000 to provide for further amount estimated to be required in connection with the Philadelphia Exhibition,

Mr. JONES (South Leeds) said that the Imperial Parliament only voted £28,000 for the Vienna Expesition, £50,000 for the Paris Exposition, and were discouraging as much as possible expenditures on exhibitions, and yet the Government of this country were prepared to expend $100,000 on the Philadelphia Exhibition. As a manufacturer, he did not think that the fact of Canadian manufactures being represented there would benefit our industries. The Government was launching out into expenditures beyond those made by any previous Government of this country.

Hon. Mr. CARTWRIGHT said it was important that Canada should be represented in a satisfactory manner at the American Centennial Exhibition, as undoubtedly an immense number of people from all quarters of the world would assemble at Philadelphia. He would prefer that the Dominion should not be represented at all than that, being represented, it should be represented in such a manner as to appear to great disadvantage with the States of the neighboring Repub-

lic. The general policy as to whether this country should or should not be represented at that exhibition was a fair subject for discusssion, but every one would attach importance to our presenting a good appearance before the eyes of those who attended and in the eyes of England, and if, therefore, we put in an appearance, the Government must take powers which would enable us to appear creditably. The Local Legislatures would co-operate with the Government in making a successful representation of Canadian industry.

Sir JOHN A. MACDONALD said that we could only send to the Philadelphia Exhibition agricultural products or manufactures. We did not need to send the former, because everybody knew exactly what Canada could produce. Certainly every one in the United States knew all about the agricultural products of the Dominion; and as to sending our manufactures, this, a young manufacturing country, could not by any possibility assume a satisfactory position among the manufactures of the United States. It occurred to him that we would be altogether throwing away our money. If we did make a decent show of manufactured goods in spite of the protection duties of the United States which acted as a prohibition to the importation of Canadian goods, the circumstance would operate against the Reciprocity Treaty which his hon. friends opposite still intended to negotiate whenever they could do so.

Hon. Mr. HOLTON said the hon. member for South Leeds did not represent the feeling of manufacturers generally, in relation to this matter. He was quite satisfied that the manufacturers of Montreal were exceedingly anxious that the manufactures of Canada should be well represented at the Philadelphia Exhibition. He was aware that the Government had been exposed to very strong pressure from that class in Montreal, which every one would admit was the chief manufacturing city of the Dominion; but he had also reason to believe that manufacturers in Toronto, Hamilton, Bowmanville and other towns had made similar representations to the Government. The propriety of having Canada well represented at the Philadelphia Exhibition had moreover been strongly urged in the House. It would be altogether a mistake if we, occupying the position we did on this continent, failed to fyle an appearance at that Industrial Exposition.

Mr. JONES (South Leeds) desired to hear from the Government how they proposed to expend that sum of $100,000. Were manufacturers to be paid for sending their goods to Philadelphia, or was the amount to be expended in paying Commissioners. If manufacturers desired to be represented they would forward their goods without being paid for doing so by the Government. If he, as a manufacturer, intended to send goods, he would not ask that the freight be paid out of the Dominion Treasury. As to Montreal being the head and front of our manufacturing interests, he thought it was not exactly the Hub of this country. It was proposed to hold an exhibition in that city, and the manufacturers of Ontario were asked to send their goods there. This, however, they did not desire to do, and the people of Ontario had a right to be consulted in this matter.

Mr. DYMOND said it was very strange that the hon. gentlemen opposite, who especially claimed to be the friend of the manufacturer, should attempt to deny him this, perhaps the best opportunity that would be afforded in our own time to advertise his products to all the world. Two and a half years ago the right hon. member for Kingston stumped Ontario as the friend of manufacturer. Where was he now? Why denouncing a grant of money which the country would not miss, in order to allow those very manufacturers an opportunity of placing themselves in competition before the whole world with the manufactnrers of other countries. He (MR. DYMOND) ventured to think that the manufacturers of this country would not at all thank the right hon. gentleman, or the hon. member for South Leeds for the speeches they had delivered to-night. In agricultural implements, tweeds, sewing machines, boots and shoes, and many other articles it was notorious we would be able to compete with American manufacturers. He (Mr. DYMOND) was a friend of manufacturers, although they did not always know it, and in that respect a humble follower of his hon. friend the member for Hamilton (Mr. WOOD) who would tell the hon. gentleman what the manufacturers wanted. It must always be remembered that we were not going to Philadelphia merely to

show American manufacturers what we could do, but to show the whole people of America what we could do. And who ruled America? Was it the manufacturers, or the "rings" at Washington who labored to prevent the free introduction of our manufactures into the United States, that governed that great country, or was it the people of America, every man of whom had a voice in the affairs of the nation? He desired to send to the Centennial Exhibition at Philadelphia those products of Canada which would convince the people of the United States that there was no country in the world with which it could trade to greater advantage than with this Dominion. That was the view of the Government, he imagined, in asking for $100,000 for that purpose. The amount asked was trifling, when compared with the results which would be obtained, and those manufacturers—distressed brethren as they professed to be would obtain a first class advertisement for their goods, while the expense would not be felt when divided over the whole Dominion. He imagined there would come from England and the Continent buyers representing all the great importing houses, and the $100,000 spent by Canada would be recouped in the shape of advantages to this country to an extent beyond computation. A wise liberality was after all the wisest sort of economy. It was very easy for gentlemen to return to their constituencies, especially when rather hard run at an election, and endeavor to secure a few votes by professions of economy; but he believed the country would not lose much if it spent an equal sum to be rid of such economists.

Mr. WOOD desired on behalf of the manufacturers of Hamilton to thank the Government for the wise and liberal measure which they had introduced to-night. He was surprised that the hon. member for Leeds, himself a manufacturer, should have objected to it, especially when, if the vote had not been asked, he would have been foremost in complaining of the omission. Merchants advertised in newspapers in order that the people of Canada might know what they had to dispose of, and manufacturers would send their goods to the American Exhibition to show the world what the Dominion can do in manufacturing. If some manufacturers did not desire other countries to know what we were doing, the manufacturers of Hamilton held the opposite opinion, and in the article of sewing machines they would astonish the Americans with the remarkable progress made during the last ten years.

Mr. JONES (South Leeds) pressed for ah answer to his inquiry as to how the Government would expend the money.

Mr. WOOD said the Government would not appoint paid Commissioners to attend an exhibition at which Canadian products were not represented, as did the late Government in the case of the Vienna exhibition.

Hon. Mr, MACKENZIE said in reply to the hon. member for Leeds, that the Government did not expect to expend any considerable portion of the amount in paying Commissioners, but they did anticipate having to spend a considerable sum in fitting up the Canadian Department. England had taken a large space, and Canada was invited to occupy space next to England, and if the Government had refused to acquiesce they would have severed one of the last links which the hon. member for Kingston was charging the Government with being always about to sever. That hon. member when driven into a corner always said something about the last link having just been broken: and this would have been one of the links. The Government had accepted the invitation so that it would not be possible to impugn our loyalty, and the Government proposed to expend whatever might be necessary in order to procure a creditable exhibition of Canadian products. It would be a mistake to make any exhibition unless we did it well; and he was satisfied it could be well done. The Government were very modest in asking the first vote and were pressed by hon. gentlemen to take a larger grant if they expected to do any good with it. They, therefore, asked for a supplementary vote, but if the House thought it should not be granted hon. members had only to state the fact.

Mr. JONES (South Leeds)—Is it intended to purchase articles from manufacturers?

Hon. Mr. MACKENZIE—We won't purchase a spade or shovel.

Mr. BOWELL said that the intention of the Government appeared to be to pay the expense of sending articles to the exhibition.

to be placed in competition with the goods of other countries, and he had no objection to that expenditure. On the contrary, he thought the action of the Government was such as the people would justify. He understood the position taken by the hon. member for Leeds to be this, that he was prepared, as a manufacturer, if he desired to exhibit his goods at Philadelphia, to do so at his own cost. The difference in the two principles was this —some hon. members—Liberals—wanted the Government to be liberal enough to take money out of the public treasury to pay the expense of advertising their articles at the Philadelphia Exehibition, while the hon. member for South Leeds, a Tory, was prepared to do his advertising at his own cost.

The item was passed.

Item 4 was passed without discussion.

On item 5, $30,000 for drill sheds for militia,

Hon. Mr. CARTWRIGHT explained that the vote was taken to enable the Government to meet the wishes of a considerable number of persons who were interested in drill sheds throughout the country, some of whom had offered to contribute liberally towards the erection of such buildings, if the Government would meet them half way. The amount asked to be voted would prove sufficiently large to assist in most of those cases where persons were prepared to contribute liberally towards the erection of those buildings.

The item was passed.

On item 6, $13,000 for improvement of navigable rivers,

Sir JOHN MACDONALD asked for explanations of the sum of $5,000 for the removal of rocks in Detroit River, which was included in the item.

Hon. Mr. MACKENZIE, in reply, said that at a point fifteen miles below Detroit the channel was purely on the Canadian side. An American Engineer had examined the river during the last two seasons, and in his report recommended that application should be made to the Canadian Government to join the United States Government in improving the rivers at a cost of three millions of dollars. The Government replied that they would have no objection to spend a small sum to obtain the depth of water required for our vessels at the present time, and as the Engineer had recommended that a depth of sixteen feet should be obtained, they would have no objection to the United States Government operating in our channel, as it was the only channel available at that particular place. He had asked for that vote to pay the proportion payable by the Dominion, towards the cost of deepening the river at the place indicated.

The item was passed.

On item 7, $25,000 to aid in building a bridge at Winnipeg,

Mr. SCHULTZ asked when the amount would be expended, and where ?

Hon. Mr. MACKENZIE said a sum of $50,000 appeared in previous estimates for building a bridge at Fort Garry, which amount was not expended by the Government because they doubted whether the propriety of making the expenditure. If the Government built a bridge over the river at Winnipeg, it must have a draw and they would be under the expense of working the bridge in the future. Instead of adopting that policy, the Government proposed to vote $25,000 in aid of building a bridge at that point, and if the local authorities, either the Local Government or the Municipality, would build the bridge that sum would go towards paying the cost of the work.

The item was passed.

Items from 8 to 12 inclusive were passed without discussion.

On item 13, $27,500 for Harbors and Break-waters in the Province of Quebec,

Mr. MASSON asked for explanations.

Hon. Mr. MACKENZIE explained that the works included in the item were all recommended by the Engineer as necessary for the safe navigation of the St. Lawrence.

Mr. MASSON remarked that the item must be cortect for it was seldom such a large sum was voted for works in the Province of Quebec.

The item was passed.

On item 14, $30,000 for Harbors and Break-waters in Ontario,

Mr. PLATT called attention to the amount of $20,000 for Toronto harbor appearing under the item, which would not go far towards the construction of the necessary works. He found that other harbors on the Lakes had obtained large grants, while Toronto obtained nothing,

notwithstanding the fact that it was a harbor of refuge in which vessels sought shelter during storms. It was, therefore, desirable that the harbor should be improved by the carrying out of the necessary works. Toronto, he thought, had not obtained justice and fair play in the expenditure of public money.

Hon. Mr. MACKENZIE said he had been reminded by an hon. member that the representative of East Toronto had been talking platitudes. The appropriation of $20,000 for Toronto harbor was intended for experimental purposes in order to ascertain in what way the east passage could be kept open. The engineer had shown that it would be a most expensive and difficult operation, costing from $300,000 to $400,000. He was not willing to enter upon an expenditure of that extensive character until the Government had at least ascertained how the work could be carried on, and in what manner such a burden could be sustained by the port. Some of the harbors yielded a revenue, one of which was Cow Bay, for which the Government was about to ask a vote of $25,000. They were paying under the contract for returns and for dredging of the harbor $75,000, but it yielded an annual revenue of nearly $4,000. The harbor of Toronto paid no revenue except to the harbor commissioners. If the hon. member would peruse the return which was brought down a few days ago he would observe the amount of money which had been expended in the first place by the local authorities on harbor works. It showed that the important port of Hamilton had expended from local sources $200,000 in improving their bay, and they expected the large ports like Quebec, Montreal, Toronto and Hamilton to do much towards maintaining their own commercial position by imposing charges on shipping frequenting these ports. In the sense of being a general harbor of refuge, while Toronto harbor was undoubtedly a good one, it could not be compared with Southampton on Lake Huron, and some other harbors where vessels sought refuge during storms. The improvements on Toronto harbor must be met partly, no doubt, with the assistance of the Government, and ultimately, to a great extent, in connection with local taxation on shipping calling at the port. At the same time the Government propose to ascertain in what manner the entrance to the harbor and the harbor itself could be most effectually secured from injury by the execution of harbor works.

Mr. MOSS said the observations of the hon. gentleman from East Toronto were well worthy of the consideration of the House. Long before the present Government came into power, the importance of improving Toronto harbor had been brought to the attention of the late Government, but without any result. He trusted that the present Government would take some effective steps to improve the harbor, though they would not be expected to do all that was wanted at once. While he admitted that the local authorities should contribute and would contribute their fair share, yet it was clearly the duty of Government to assist, more especially as the harbor was a valuable place of refuge for vessels in distress.

Hon. Mr. MACKENZIE—The first thing to be done is to ascertain in an experimental way what plan was best to be adopted.

Mr. MOSS—I quite agree to that.

Mr. WOOD said he was glad to hear the Minister of Public Works state that a large amount of this expenditure must be met from local sources. If the people of Toronto had taken prompt means to preserve their harbor in the first instance a large expenditure would not now be necessary. They had neglected, although they collect harbor dues from the shipping, and now it would take a large amount to make the harbor efficient. If the people of Toronto wished an outlet at the eastern end of their harbor they should pay for it themselves, for that was a local work.

Mr. WILKES objected to improvements in Toronto harbor being regarded as a local work. With regard to the remarks of the Premier that it could not be regarded as a harbor of refuge in the same sense as some harbors on Lakes Erie and Huron, he held that if it was inferior in that respect it was only because of there being no opening at the east end—it was in fact a sort of *cul de sac*. If the east end was open it would make the harbor a good harbor of refuge, and he therefore maintained that this would largely benefit the whole trade of the Lakes. He believed the statement was correct that if a judicious expenditure had been made on the harbor several years ago a great deal of money would have

been saved. If some of his friends on the Tory Press who were now so anxious in this matter had evinced a little of the same anxiety when their friends were in power it might not now be necessary to spend so large a sum of money to make up for the neglect of the past. He had no doubt that the Harbor Commissioners of Toronto and the city authorities would do all in their power to aid the work; even now the Harbor Trust was spending $10,000 or $12,000 a year for the removal of sand bars, which were formed anew every year. It was in the public interest that the public money should be spent on some permanent work in connection with the improvement of the harbor, and therefore he approved of the plan proposed by the Government.

Hon. Mr. MACKENZIE said the hon. member for Hamilton must recollect that while the local authorities spent a very large sum on Hamilton harbor, yet the entrance to the harbor was made by the Government of the late Province of Canada at a cost of nearly $400,000.

Mr. WOOD—And they have collected on the Burlington Canal over $200,000 within the last ten years.

Hon. Mr. MACKENZIE proceeded to say that the Harbor Commissioners of Toronto had already expended a very large amount. The harbor was the outlet for a vast tract of country, and it was one which no Government would be justified in neglecting; and they were now asking this vote with a view to ascertain how it could be best permanently improved. There should be no jealousy between one place and another. He hoped that all their expenditure was made with a view to serve the public interest and not to benefit any place in preference to another.

Mr. McCALLUM said the people of Toronto were very much to blame for neglecting their harbor so long. If they had taken proper steps in time a large amount of money would have been saved. The people of Toronto wanted the eastern passage because it would create a current past the city, and thus promote the health of the city. The opening of the eastern passage was therefore a local work. He did not believe it would cost anything like $400,000 not even $100,000 to make the harbor as good as it was before. It would be much better as a harbor of refuge without the eastern passage. It could not be compared as a harbor of refuge to those on Lakes Erie and Huron; but at the same time he would admit that Toronto harbor should be made a good harbor.

Mr. WOOD disclaimed any feeling of jealousy in this matter. He proceeded to say that the Burlington Canal cost $432,634, and in ten years the tolls collected amounted to $205,302 besides $7,900 which was spent for removing a vessel which went down in the canal thirteen or fourteen years ago. Thus half of the whole cost was paid in ten years. So far as Toronto harbor was concerned, he wanted it preserved, but he wanted the Toronto people to pay a fair proportion of the cost.

Mr. MOSS said the hon. gentleman from Toronto had a mission in this House, and that was to combat every proposition that was for the benefit of Toronto. Whether it was a railroad or a harbor or anything else that was likely to benefit Toronto, the hon. gentleman immediately saw grass growing in the streets of Toronto. Speaking for Toronto, he (Mr. Moss) would say that the people of that city did not ask—at any rate they would not ask through him—for any more of public aid than they were reasonably entitled to. So far as the improvement of the harbor was a work of general public utility he expected the Government to assist, but beyond that he did not expect them to go.

Item passed.

On item 15, Grand Anse, Baie des Chaleurs, (Local authorities contributing an equal sum), $3,000; Campo Bello (Local authorities to furnish $1,000,) $600; Shippegan, $11,000,

Hon. Mr. BOBITAILLE said he had no doubt that these improvements were required, but he would like to know the principle that was followed in making these appropriations, and also the purpose for which the money was to be spent in those places.

Hon. Mr. MACKENZIE said the work at Shippegan was a pier or breakwater about 1,800 feet long at the entrance of the harbor. At Grand Anse the appropriation was for a breakwater to protect fishing vessels.

Hon. Mr. ROBITAILLE said he hoped the same protection would be provided on the North side of the Bay Chaleurs.

where much more fishing was carried on than on the South side.

Hon. Mr. MITCHELL differed from that view, as he believed the South side was much more entitled to the grant.

Hon. Mr. MACKENZIE—The principle that we have acted upon in regard to these local works, that is those which are for the protection of local vessels, is to make the appropriation upon condition that the local authorities contribute an equal amount.

Hon. Mr. ROBITAILLE—I venture to say that at Grand Anse you will not find ten fishing boats. The population is chiefly a farming population, or engaged in the manufacture of grind-stones.

Hon. Mr. ANGLIN said the hon. gentleman must refer to a point farther up, as there were a great many fishing boats at Grand Anse. There was a large population there engaged in fishing, and they were very much in need of some protection for their boats. He did not object to any improvements being made on the north side of the Bay, but the fact was that storms usually came from the north, and the south side was therefore much more exposed. Very great loss both of life and property occurred there for want of some protection, and he had felt it his duty to press upon the Government the necessity of their assisting the local authorities in procuring the needed protection. Hundreds of vessels passed through there to the fishing grounds every week, and when storms arose frequently lives were lost. Last year, on one occasion, seven lives were lost for the want of sufficient protection. With regard to Shippegan, he was satisfied the proposed improvement was much needed, and the Government would be justified in making a much larger expenditure than was now proposed.

Hon. Mr. MITCHELL confirmed the statement of the honorable the SPEAKER as to the necessity and importance of making improvements in Shippegan Gully.

Sir JOHN A. MACDONALD called attention to the necessity of making these items more explicit in the estimates, as they really, as they now stood, afforded no information whatever with regard to the character of the work.

Hon. Mr. CARTWRIGHT said he believed they were prepared in the usual form, but he admitted they should be more explicit, and would see that they were properly expressed in the Supply Bill.

Hon. Mr. MACKENZIE gave some explanations upon item 15, being an appropriation of $91,000 for certain harbors and breakwaters in Nova Scotia.

Item passed.

Also, items 17 to 24, inclusive.

On item 25, to provide for the purchase of two steamers for light-house and fisheries services, $85,000,

Mr. YOUNG asked for information. These vessels had always been a serious source of expense in addition to their first cost.

Hon. Mr. SMITH said the service on the River and Gulf of St. Lawrence, which would be required of one of these steamers, had been done in the past by the schooner *Canadienne*. It was a sailing vessel, and it was very desirable to have a steamer for these services. They could purchase a steamer suitable for that service for $20,000. The other steamer would cost about $60,000, and it would be necessary to go to England for it. It was intended principally for the Bay of Fundy, and perhaps some portion of the north shore of Nova Scotia. Vessels were cheap now, and it was therefore a good time to purchase. In the Quebec district there were at present 94 light-houses, in the New Brunswick division 52, in the Nova Scotia division 82, above Montreal 92, and between Montreal and Quebec 41. In all there were nearly 400 light-houses, and some 30 or 40 fog-whistles. All these had to be inspected, and to perform that service it was necessary to have steamers in preference to sailing vessels.

Item passed.

On item 27, towards providing telegraphic communication between Matane and Magdalen River, furnishing instruments and equipping stations, $5,000,

Hon. Mr. MITCHELL said he had already called the attention of the Government to the necessity there was for a telegraph line from Escuiminac to Chatham. It was of great importance to the commerce of that place and still more important in affording security to life and property, as numerous wrecks had occurred at the former point. He urged the Government to take immediate steps to establish the line.

Hon. Mr. SMITH said he was now negotiating with the Montreal Telegraph

Company in relation to this matter, and as very satisfactory arrangements had been made for that one service, he had no doubt this could also be arranged. He realized the importance of the work.

On item 28, to aid Indian schools where most required, $2,000,

Mr. SCHULTZ said that he desired to bring up a matter connected with the extinguishment of the Indian title in Manitoba. For that purpose the Manitoba Act of 1870 granted to the half-breed population one million four hundred thousand acres of land, not one acre of which, he was sorry to say, had been received by them. It would be remembered that every year for the past four years he had brought the matter up in the House. For five years the intended recipients had waited, first with patience, lastly with impatience. Now their patience was exhausted, and he must take this chance, which seemed likely to be the last afforded to him, to protest against any further delay. He regretted to see that the whole matter was dismissed in the report of the hon. Minister of the Interior in seven lines under the heading of disputed claims. He denied that these disputed claims affected more than two or three parishes and that that fact should not interfere with the distribution in other parishes. There was also a grievance in the matter of the land to which the heads of half-breed families were entitled. An Act passed subsequent to the Manitoba Act ensured to the heads of half-breed families the issue of scrip for one hundred and sixty acres of land each. There was no reason why this issue of scrip should have been delayed as it has. Five or six months would have been ample for the necessary printing and distributing of this scrip, but as yet, not one person had received it. He begged briefly to point out the injustice occasioned by this. Had the heads of families received this scrip in a reasonable time, they might have taken up land for their use which is now locked up in the hands of speculators. In the county he had the honor to represent a special injustice was occasioned by this delay. Had the scrip been issued within a reasonable time after the passage of this Act, land might have been located with it in the vicinity of their existing holdings on the river, but the land so desirable to them was now withdrawn by the Government from sale or settlement to supply the land for railway purposes, to their great detriment and disadvantage. It was not the half-breeds alone who were dissatisfied at the delay in dividing these lands. It was a serious matter in a Province so small, to lock up so much of its land in this way, useless at present to the owners of it, and a nuisance to those, who coming to the country to settle, were compelled to go beyond it to settle. Had the people received it before, they would have improved it, or sold it to those who would have done so. They had not even power to protect it, and the consequence was that its wood was being robbed and its value yearly deteriorated. There was again the grievance of the hay question. The Manitoba Act had guaranteed all existing rights and when this claim was preferred by the people, it had first been pooh-poohed by the Government, but when they appointed commissioners to investigate it, it was found after evidence being taken in two parishes, that it was expedient to grant the whole claim in fee simple. That was fair and equitable, but the injustice lay in this, as in the other cases, he had mentioned, in the great delay which had been caused by the action of the Department in this matter. The principle once conceded the grant should have been made at once and prevented the general and just dissatisfaction which prevailed. The last grievance of which he would speak in this connection, was that of the delay in the issue of the patents for lands in the settlement belt. The hon., the Minister of the Interior stated in the report which he had recently submitted to the House that "the legal and equitable "bearing of certain reputed claims to "lands in Manitoba had been under care-"ful consideration. That some of them "had been disposed of and it is hoped that "an adjustment of the remainder of all "such questions will be effected at an "early day." He thought that too long a time had been taken for these decisions and if decisions had been arrived at there was now no use for further delay. He could not understand why it was that a certain favored few, could get patents for lands in the settlement while the holders of undisputed titles generally had received no patents. The discrimination was most unfair. Again he must protest against the patent for the land around Fort Garry

made in such an extraordinary manner over two years ago. This patent was granted in contravention of a regulation which required the posting of all lands for which a patent was asked at the office of the County Court Clerk for a certain term. These conditions had not been complied with. He had stated before and he stated now that this land was worth over two millions of dollars and though the present Government was not accountable for the issue of the patent, yet they should examine into the matter while yet it was possible to rescind the patent. Having get to the end of these special and deeply felt grievances he begged to be allowed to say a few words in regard to the new Canadian settlements of the Province, and thought that the Government should assist such settlements in making roads and bridge at least on main and connecting lines. He was aware that in the other Provinces this aid came from the Local Governments, but Manitoba alone af all the Provinces did not own her public lands, and settlers had a right to expect assistance from that source which derived a revenue from their sale and their settlement. If the Province owned the land, to that source they would naturally apply for relief, but as the Dominion retained the lands, he felt that the people had a legitimate claim in that direction, and trusted the matter would receive the attention of the Government, especially as they had forced settlement in places remote because of the large blocks of land reserved. The last matter of which he wished to speak was that embodied in a notice of motion which he now saw would be crowded out by the early prorogation. This was an amendment to the Dominion Lands Act, which would prevent the present locking up of lands in the hands of speculators. It was a fact, he was sorry to say, that in the whole Province of Manitoba to-day there was scarcely an eligible homestead left for occupation by the actual settler. Every desirable quarter-section had been either bought up or located. The clause that limited purchase to 640 acres was so easily evaded as to be practically useless. The American system of preventing this was a good one. In the United States the law provided that for a term of years after their survey the public lands should be open only for homestead settlement, and only after that term had expired, and the actual settler had had his choice, could the speculator purchase, and in too many cases lock up the land which the good of the country demanded should be used.

Mr. COSTIGAN called the attention of the Minister of the Interior to the fact that a change should be made in the appointment of Commissioners for the Indians of New Brunswick. The Commissioner of the Tobique Reserve resided at Fredericton, 90 miles distant from that reserve and 150 miles from the other reserve with which he was connected. This was not only a great inconvenience, but as the Commissioner was allowed travelling expenses, it was a heavy drain on the limited funds of the Indians. He suggested that instead of continuing this commisioner at Fredericton, at a salary of four or five hundred dollars and travelling expenses, some one living on the reserve should receive the appointment. A competent man could be secured for about $150 a year. He did not hold the Government responsible for this state of affairs, but blamed them for allowing it to continue after their attention had been called to the subject.

Hon. Mr. LAIRD said the Government had made no change in this direction, but allowed matters to remain as they found them when they came into power. Besides the cost of these Commissioners, the Indians were paying four Missionaries to attend to their spiritual wants. Three of the latter received $100 a year, and the other $200. This was a legacy left by the late Government. He was fully persuaded that there was quite enough paid for Indian agents in New Brunswick without increasing their number. When this matter was under discussion on a former occasion, he had taken occasion to say that the Indians of New Brunswick were less numerous than those of Nova Scotia, and that the revenues arising from their reserves was invested for their exclusive benefit. He found after investigating the subject that this was quite correct. There were 300 more Indians in Nova Scotia than in New Brunswick, yet they received exactly the same Parliamentary grant. And besides the Nova Scotia Indians had no fund of their own, while the New Brunswick Indians had a fund of their own invested for their benefit. With respect to the

remarks of the hon. member for Lisgar, it would be difficult to follow him through the whole of his speech. He (Mr. LAIRD) had already explained the reason why the lands reserved for the half-breeds were not distributed. Certain parties claimed that they had a right to these lands under the Manitoba Act, apart from the half-breed distribution. It was necessary to decide these claims, which was a delicate matter, before making the distribution. Legislation had taken place this very session, with a view to enabling the department to proceed more rapidly with the adjustment of those claims. The department considered it best to treat all the half-breeds alike, and make no distribution until all the lands could be distributed at once. This would prevent the heart-burnings which would be certain to arise if some of them received their lands before others.

Mr. SCHULTZ—Why have you issued patents to Lieut. Governor ARCHIBALD, Mr. MCMICKEN, and the Hudson's Bay Company, and to no one else?

Hon. Mr. LAIRD said the only distribution to the Hudson's Bay Company was in the neighborhood of Fort Garry, and that was given before this Government came into power. As the House was aware the Company had a right to certain sections of land in every township. In surveying the townships it was found that parties had settled on sections belonging to the Company. The Government had either to turn out these settlers or give the Company lands in lieu of what had been taken up. They pursued the latter course, and some of the patents for lands thus given to the Company might have been issued, but all were treated alike. There was no partiality.

Mr. SCHULTZ said that he regretted to find in the Hon. Minister's reply a want of knowledge of the affairs of his own department which amounted almost to gross ignorance on his part. He understood the hon. gentleman to give as a reason for dealing in distribution the disputed claims in some of the parishes. Now, had the hon. gentleman known the details of his department, he would have been aware that each parish took its block of land separately, and the allotment was ordered by parishes so that disputed claims in St. Norbert no more affected the parish of Poplar Point in St. Andrews than it did other parishes fifty miles away. There was no connection in any way between the different parishes, and there was no excuse for delay of the allotment in parishes where such conflicting claims did not exist. He would like to know by what principle of equity the hon. gentleman made the half-breeds of Poplar Point for instance a parish fifty miles away, suffer for the delay occasioned by stake claims in St. Norbert. The principle was absurd. He had entered his protest against further delay and trusted the Government would not necessitate his having to bring the subject up again.

Hon. Mr. LAIRD said the Government believed they were pursuing the wisest course. It would not be right to give the half-breeds of one parish possession of their lands at once, while those of another parish might be obliged to wait a year or two longer.

Mr. COSTIGAN wished it to be distinctly understood that he did not advocate an increase of payments to Indian agents in New Brunswick, but that, on the contrary, he recommended a decrease.

Mr. BORRON called attention to a grievance of which the Indians in the District of Algoma complained, and which involved a claim amounting to about $50,000. Twenty-five years ago they entered into a treaty to surrender the territory extending from Penetinguishene to Pigeon River, embracing nearly the north half of the Province of Ontario. They surrendered that territory for a payment of $6.50 for each member of the tribe cash down, and an annuity of $1.25 each. The treaty contained the following clause:—"The "said WILLIAM BENJAMIN ROBINSON on "behalf of HER MAJESTY who desires to "deal liberally and justly with all HER "subjects, further promises and agrees "that in case the territory hereby ceded "by the parties of the second part shall at "any future period produce an amount "which will enable the Government of "this Province without incurring loss, to "increase the annuity hereby secured to "them, then, and in that case, the same "shall be augumented from time to time, "provided that the amount paid to each "individual shall not exceed the sum of "one pound, Provincial currency in any "one year, in such further sum as HER "MAJESTY may be graciously pleased to "order." Now, the territory had yielded a very large amount of money. From

mineral and timber lands as well as from agricultural lands it had produced little short of a million dollars and not one cent had been paid those Indians although they were entitled to the full annuity of $4 per head. They had endeavored to bring their case to the notice of the Government in every way that was open to them, but as yet nothing had been done to remedy a long standing injustice. They were peaceable and law abiding; perhaps if they had not been so peaceable their interests would not have been so long neglected.

Hon. Mr. LAIRD said the very conditions of the treaty referred to showed that the money should be paid by the Government of Ontario. They possessed the lands, and whatever revenue was derived from them went into the treasury of Ontario. It was clear, therefore, that the money should be paid by that Province and not by the Dominion. The matter had been brought under the notice of this Government and a correspondence had been entered into with the Government of Ontario with a view to adjusting the cloim of the Indians. No solution had yet been arrived at, but he hoped to have the claim settled after the close of the session.

Hon. Mr. BLAKE said the treaty was made with the Indians at a time when these lands became the property of the Province of Canada. By the Confederation Act these lands became the property of the Provinces, but the guardianship of the Indians and the obligations entered into with them were handed over to the Government of the Dominion, and he apprehended that the lands out of which these annuities were to be paid were also handed over. While this was the case, all that the Indians had to say was that the lands having produced a certain amount, they were entitled to the annuity provided for by the treaty, and the Government of Canada must pay it. The rights of the Indians should not have a doubt cast upon them.

Hon. Mr. MACKENZIE said there was a legal doubt about the matter. This Government held that the Province of Ontario should implement the engagement entered into with the Indians. They did not deny the justice of that, but insisted that Quebec should take part of the obligation.

Sir JOHN MACDONALD did not see what legal doubt there could be as to the right of the Indians to receive their annuity. The Dominion Government held the assets of the Indians. He did not remember that the late Government had any difficulty about this matter, or that it was brought up in Council.

Hon. Mr. MACKENZIE said the Dominion never became possessed of these lands. The Province received the equivalent and the Dominion was expected to pay the price.

Hon. Mr. BLAKE contended that the Dominion Government was bound to see that the Indians were paid whatever they were entitled to receive.

Hon. Mr. LAIRD said the Government had not yet been put in possession of information as to what amount the lands had yielded They were now in correspondence with the Ontario Government on the subject.

Mr. BUNSTER called the attention of the Government to the fact that the Indians of British Columbia were growing dissatisfied at the treatment they received. He urged the Minister of the Interior to send somebody to British Columbia to look after them and redress the grievances of which they complained.

The item was passed.

The remaining items having passed, the committee rose and reported progress.

The House adjourned at 12 o'clock.

HOUSE OF COMMONS,

Thursday, April 1st, 1875.

The SPEAKER took the chair at three P. M.

QUEBEC TRINITY HOUSE.

Hon. Mr. SMITH moved the third reading of the Bill respecting the Trinity House and Harbor Commissioners of Quebec.

Sir JOHN A. MACDONALD said if he had any hopes of carrying an amendment *quoad* the governing body provided in this Bill he would oppose the third reading, but he supposed that was hopeless.

The Bill was read a third time and passed.

RAILWAY ACT.

Hon Mr. MACKENZIE moved the second reading of the Bill to further

amend the general Act respecting railways. —Carried.

Hon. Mr. MACKENZIE moved that the House go into committee on the Bill forthwith. He said he proposed to amend the Act by incorporating the clause from the English Railway Act, relating to passengers attempting to travel free.

Mr. MILLS objected to the sub-sections of section 4. Sub-section 3 empowered the various railway corporations to legislate on a very important subject. It was in fact allowing them to legislate on the subject of police, and to inflict punishment for certain offences. These provisions it was true, were subject to ratification of the GOVERNOR GENERAL in Council. That body might be a very proper one for the purpose of ratifying mere administrative subjects. He thought the rights of the subject should in every case be under the control and direction of the people's representatives in Parliament assembled. What ought to be done in this case was to incorporate these by-laws in the Bill, and let them be enacted by the Parliament of Canada if necessary. As the clause stood it was placing the liberty of the subject at the mercy of railway corporations.

Hon. Mr. MACKENZIE said this sub-section was taken *verbatim* from the English General Railway Act.

Hon. Mr. TUPPER wished the Premier to explain the necessity for the proposed amendment, as very great danger might arise from the adoption of the principle therein contained. Conductors now possessed very extreme and despotic powers, and to give them these additional powers would give them the means of greatly harrassing innocent parties. He did not himself see the necessity for the amendment.

Hon. Mr. MACKENZIE said railway companies complained of the difficulty they had in reference to irregularities attendant upon travelling. In England very stringent regulations prevailed on this subject. However, he was not at all wedded to these amendments if there was any serious objection to them. The main clauses of the Bill were the second and third, putting all railway companies upon the same footing with regard to expropriation.

Sir JOHN A. MACDONALD differed from his hon. friend for Cumberland. The proposed clause was a good one, and necessary to protect railway companies from fraudulent attempts to obtain a free passage. It would only effect those who were attempting to commit or had committed fraud, and the onus of proving the fraud would fall upon the railway officials.

Hon. Mr. MITCHELL said he was opposed to giving any railway company such extreme powers as would enable them to interfere with the liberty of the subject. Supposing he was late reaching a station and a crowd was around the wicket so that he could not get his ticket without losing the train, and was to get on board without his ticket he would then be at the mercy of the railway officials who might bring him before a magistrate at the nearest station.

Hon. Mr. HOLTON said the objection of the member for Bothwell, in which he shared, was not to the regulations, but to giving legislative powers to railway companies. If the regulations were necessary let them be enacted in an Act of Parliament.

Hon. Mr. MACKENZIE said that this sub-section which he proposed to add did not relate to passengers at all. It was an amendment to the 50th section of the Act which had reference to the regulations to be observed by the officers and servants of a railway company. A railway company had power to impose a fine upon any of their officers or servants for violation of their regulations, and the proposed additional sub-section was only to make that power more explicit, and to increase the fine from $30 to $40. The provision that referred to passengers was another section altogether, and was to the effect that any passenger refusing to pay his fare might be put out of the car with his baggage at the usual stopping place or near a dwelling house. To this section he proposed to add the following sub-section taken verbally from the English Act: —"If any person travels or attempts to travel in any carriage of a railway company without having previously paid his fare or with intention to evade payment thereof; or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance without paying the additional fare for the additional distance and with the intention to evade payment thereof; or if any person knowingly or wilfully refuses, on arriving at the place

to which he has paid his fare, to leave such carriage, every such person shall for every such offence, forfeit and pay a sum not exceeding $— as penalty for such offence; and if any person be discovered either in or after committing or attempting to commit any such offence, the officers and servants on behalf of the company, and all constables and officers of the peace may lawfully apprehend and detain such person until he can be conveniently taken before some Justice of the Peace or until he be otherwise discharged by due course of law; and the penalty under this section shall be recoverable under the provisions of the Act 32 and 33 Vic., entitled 'an Act respecting the duties of Justices of the Peace out of session in relation to summary of convictions.' "

Hon. Mr. TUPPER did not see the necessity for including such a stringent provision. The most abundant powers for railways to enforce charges against passengers already existed. For the parties who were to be entrusted with this power, unfortunately, the tendency to abuse power was all but universal, and if parties, not railway managers or directors, and a thousand railway conductors were to be entrusted with the power to institute the most vexatious proceedings against persons travelling, there would be no end to the trouble it would create. Suppose, for instance, a party arrives at a station just before the departure of a train and finds a crowd around the window he has either to lose his passage or go without a ticket, and is open to be charged with intent to commit a fraudulent act. He denied the right of Parliament to put it in the power of five hundred people, who had very small means of judging and had very little responsibility, of exercising such power. Suppose a passanger on a train receives a telegram requiring him to go further on, the moment he passes the point for which he has purchased his ticket, he is open to be charged with fraudulent intent. The railway authorities already had the power to stop a train and put a man off if he did not pay his fare, and he did not see the necessity of adding this clause. He trusted it would not be pressed.

The House went into committee—Mr. YOUNG in the chair.

The first three clauses were passed without discussion.

On the 4th clause Mr. MILLS said notwithstanding the explanations which had been made by the Premier, he thought the provisions contained in this clause were very objectionable on the grounds he had already stated. This House should rather undo something that had been done instead of adding to the powers of railway corporations, and undertaking to increase their already large powers. This House should limit and define those powers. Such legislation as it was proposed to entrust to railway corporations should be made part of the law of the land which everybody understands. Under this clause one railway company might lay down one rule and another a different one. The proper course to pursue would be for the Government to invite railway companies to state what rules and regulations, for the government of those in their employ, they considered necessary, and then the Government might put this provision in an Act of Parliament. The liberties of the employees of a company should be as much regulated by the law of the land as any other persons in the country. As the people's representatives it was the duty of this House to guard the rights of the people.

Hon. Mr. FOURNIER said the powers proposed to be conferred on railway corporations by this Bill was already a principle admitted in our legislation. Railway Companies could not be considered in the light of private corporations. They were public corporations to whom were conceded by this Parliament public powers, and in conceding them such powers, as a necessary consequence they should be invested with authorities to make by-laws to enforce those powers. He thought the public interest was sufficiently guarded by requiring the companies to submit their by-laws for the ratification of the GOVERNOR in Council. If the arguments of the hon. member for Bothwell were correct it would apply also to municipalities. They possessed powers delegated to them which they exercised in the public interests and they had the right of enforcing their by-laws by penalties.

Hon. Mr. BLAKE said there was no analogy at all between private corporations established for the purpose of private gain and municipalities which are worked under direct responsibility, to the communities in which they exist, and on whom their by-laws are to operate. Our

municipal councillors are given powers to make certain by-laws within certain prescribed rules, carefully guarded by Act of Parliament, and any violation or infraction of those by-laws is punishable in a moderate degree. But to say that because these small Parliaments, exercising their powers under direct responsibility to that portion of the community in which they live, are invested with certain powers of self-government, that therefore private corporations, with the sanction of the GOVERNOR in Council should deal not only with their employees, but also with that portion of the public using their trains and stations, was to propound two very different propositions. The railway company is not responsible to the people. Its Board of Directors is not elected by the public, and cannot be displaced by the people. The Municipal Corporation is elected to look after public matters; the Board of Directors to conduct the affairs of the Company, so as to produce the greatest profit to the shareholders. The provisions in our Statute Books were not the same. They empowered a railway corporation under certain circumstances, to punish an employee by the forfeiture of not more than thirty days' pay to the company. This condition was known to the employee before entering the service of the company. The existence of such a provision was no reason why it should be extended as proposed in this Bill. This was a matter with which this Parliament should deal, All railroads could not be dealt with alike by this measure. It did not refer to local railroads, and all companies coming under its provisions might not enact the same by-laws. The initiative rested with them, and not with the GOVERNOR in Council, whose power was confined to allowing or disallowing the by-laws of the companies. By consequence, there might be one Criminal Law on one railroad and another on the next road At some cities there were different railway stations of different companies, and a man going to one station might be exposed to a fine an imprisonment for an act which was perfectly lawful at the station of another company. Those considerations led to the conclusion that the question should be dealt with by a general law applicable to HER MAJESTY'S subjects, and not in the special and partial manner in which it was proposed to deal with it by that clause in the Bill.

Hon. Mr. MACKENZIE said the General Railway Act gave authority to railway companies to impose a fine of not less than thirty days' pay upon any of the class of persons referred to in the clause under discussion, and it was only that class which would be subjected to a fine of $40.

Hon. Mr. BLAKE said that the clause said "any person using the railway of the company."

Hon. Mr. MACKENZIE said it was not intended to apply to passengers, and if there was any ambiguity in that respect it might be removed. He concurred in the opinion that it was not desirable to place the trial of those cases in the hands of Justices of the Peace, as they would be enabled to deal with them in a criminal way.

Hon. Mr. BLAKE said that if the operation of the clause was restricted to officers and employees of railway companies, and not entrust the trial of the cases to Justices of the Peace, he felt that the principal objections were, if not wholly removed, so far mitigated that he would not further press his opposition.

Hon. MALCOLM CAMERON said that railway companies now exercised greater powers than were conferred on them by law, and he had seen passengers put off a train on a plain at night, and a woman and four children threatened to be put off the cars, having lost their tickets, and were only kept on board by other persons paying their fares. The companies already possessed all necessary powers.

The section was amended by expunging the word "persons." and inserting the following: "Any of the conductors, engine-drivers or other officers and servants of the company or other companies using the railway of such company."

Mr. KIRKPATRICK suggested that a clause be added to extend the application of a clause in the Act of 1871 which was intended to apply to all companies, but which the Courts had decided did not apply to all. The clause of the Act of 1871 to which he referred provided that a railway company shall not be relieved by any condition or declaration that they will not be responsible for any damage to goods caused by the negligence or fault of the company or its servants. It was supposed

that this would apply to all railway companies, but this section was an amendment of a section of the general Act which did not apply to all railways, and consequently in the case of SCOTT *vs.* Great Western Railway the court decided that this clause did not apply to all railways. He would suggest an amendment making it apply to all railways so that no company could make a condition in their contracts that they would not be liable for damages caused to goods by the negligence or fault of the company or its servants. The suggestion was agreed to and the clause changed accordingly.

Hon. Mr. TUPPER moved to add the following clause to the 4th section :—" All goods, wares, merchandise, commodities and supplies of every kind, required for the use or purpose of any Government railway of a greater value than $— shall be purchased by public tender and contract."

Hon. Mr. MACKENZIE—We cannot accept that amendment.

Hon. Mr. TUPPER proceeded to give his reasons why such a course should be adopted. The committee was aware that the current expenditure last year on Government railways in Nova Scotia and New Brunswick was $1,300,000, and a similar sum was asked for this year for the same service. It was not easy for the Government to carry on such works with the same amount of economy as private companies, and experience amply estab lished that fact. He might say that, finding the annual current expenditure of these railways was so large, the Minister of Public Works of the late Government appointed a railway expert to go down and examine the condition of these railways.

Hon. Mr. MACKENZIE rose to a point of order. It was evident that this amendment was moved for the purpose of giving the hon. gentleman an opportunity of raising an irregular discussion upon the Lower Provinces railways. If the hon. gentleman wished that discussion, he could bring it up on another occasion in a regular way, but the amendment he proposed had nothing to do with the General Railway Act, and was therefore out of order.

Hon. Mr. TUPPER—I trust before this amendment is ruled out of order I may be allowed to state the reasons why I propose it.

Mr. Kirkpatrick.

Hon. Mr. MACKENZIE—I ask for your ruling.

Hon. Mr. TUPPER said he would speak to the point of order. The First Minister himself had violated one of the first rules of Parliamentary discussion by imputing motives to him as the ground on which he proposed his amendment. The last clause of the Bill before the House related to Government railways, and his amendment had a direct connection with that clause.

Hon. Mr. MACKENZIE pressed the point of order, contending that the amendment had no relation whatever to the Act, and could not therefore be put. If the hon. gentleman wished to bring the subject up again he could do so in the regular way by a resolution, and if he carried his resolution it would go into force.

Hon. Mr. TUPPER said he had had a very important notice on the paper for some time, but the House had yet been unable to reach it, and the First Minister knew very well that the only result of preventing his bringing the matter up now would be to prevent his bringing it up during the present session.

Hon. Mr. MACKENZIE said if the hon. gentleman had not placed his motion on the notice paper early enough in the session, it was not his (Mr. MACKENZIE'S) fault.

Hon. Mr. TUPPER said a report laid upon the table of the House to-day was the basis upon which he offered his amendment.

Sir JOHN A. MACDONALD contended that it was quite competent for Parliament to place clauses in the same Act relating to entirely different matters. All the Acts of one session might be embodied in one Act of Parliament, and it was only as a matter of convenience that the legislation of a session was divided up into different chapters. Aside from that view he held that the amendment proposed by the hon. member for Cumberland had a relation to the Bill before the House, and, therefore, even if the point of order was good, it did not apply in this case.

Hon. Mr. HOLTON rose to another point of order. This was a money resolution, and should originate in Committee of the Whole, specially ordered for that purpose.

Sir JOHN MACDONALD said the

hon. gentleman could not be serious in raising such an objection.

Hon. Mr. MACKENZIE said whatever doubt hon. gentlemen might entertain as to his point of order, there could be none as to the question raised by the hon. member for Chateauguay.

Mr. CHAIRMAN said he was not prepared to decide these questions of order, and he suggested that the SPEAKER be called to the chair.

Sir JOHN MACDONALD moved that the committee rise and the SPEAKER take the chair to decide a point of order.

Mr. SPEAKER ruled that the first objection was not well taken. It was quite possible to amalgamate any number of Bills of the most inconsistent and incongruous character, if the House deemed it expedient to do so. With regard to the other question of order, he was not quite so clear on it, and would like to hear it argued.

Sir JOHN MACDONALD said this was not putting a burden on the people, but, on the contrary, a proposition to keep prices down. It was directly in favor of reducing the charge on the public. It in no way affected trade and commerce, and was, therefore, clearly in order.

Hon. Mr. HOLTON said he did not take the point that it affected trade and commerce, or that it required a message from the Crown, but simply that it was a money resolution of which notice, must be given and which must be considered preliminarily in Committee of the Whole.

Hon. Mr. CAMERON (Cardwell) said this was not an appropriation. The appropriation was already made, and to say that this motion was out of order was going beyond anything ever heard in Parliament before.

Hon. Mr. MACKENZIE said it was quite possible that there might be a combination of tenderers. In that case the Government being obliged to purchase the supplies, would be compelled to expend a larger sum than if they procured them without calling for tenders. The resolution directly encouraged a scheme by which the taxes of the country might be increased.

Hon. Mr. HOLTON said the proper time to move this resolution would be on concurrence in the report of the Committee of Supply.

Mr. KIRKPATRICK pointed out that the Bill for constructing the Esquimault and Nanaimo Railroad contained a clause similar to this, yet it did not originate in Committee of the Whole.

Hon. Mr. CAUCHON—That was an error and should not be repeated.

Mr. SPEAKER said his impression was that the clause, if added to the Bill, would be restrictive in its character. Its tendency was to decrease and not to add to the burdens on the public. He did not think the objection of the hon. member for Chateauguay was well taken and he would, for the present rule that the motion was in order. He would look into the question carefully before the Bill reached its final stage, and give his decision to the House.

The House again resolved itself into Committee of the Whole; Mr. YOUNG in the chair.

Hon. Mr. TUPPER regretted the hon. gentlemen opposite were so opposed to the principle of purchasing supplies by tender that they occupied so large a portion of time in discussion of a question of order. He would state as briefly as possible the grounds on which he proposed that so important a clause should be inserted in the Bill before the House. As he was stating to the committee when the question of order was raised, the late Government, finding that the expenditure on the Government railways was very large, felt it to be their duty to have the whole question of expenditure thoroughly investigated. They appointed a railway expert, a man of extensive information, and much experience in such matters, to inspect the Government railways in Nova Scotia and New Brunswick. That gentleman made an elaborate report on the subject, which report was now in the possession of the Government, and in it he recommended that supplies for the Government railways in those Provinces should be obtained by tender and contract, instead of the system, which up to that time prevailed, of entrusting the purchase of these supplies to the Manager of the railways. The late Minister of Public Works, Mr. LANGEVIN, submitted the report to the Council, and upon that a Minute was prepared by the late Government and passed adopting the principle of having all purchases made by tender and contract. That Minute of Council instructing the Manager of the railways to adopt that system,

was transmitted to Mr. CARVELL by the late Government, and was in his possession when the change of Government took place, and that policy, it should be remembered, was adopted long before the Government had any reason to anticipate they were going out of office. The change which took place in November, of course, deprived the late Government of any authority or control in that matter. But upon the change of Government taking place, the present Minister of Public Works caused his Secretary to send an official letter to the Manager of the Railways directing the Manager to obtain all supplies, not otherwise provided for, from Black Brothers & Co., hardware merchants, at Halifax. Under the authority of the Minute of Council which the late Government had previously sent to the Manager of the Railways, tenders were invited for railway supplies and they were sent in on the 1st January, 1874. But no action was taken thereunder, and from the time the present Government came into power in November, 1873, until March 1874, that firm enjoyed the monoply of furnishing supplies, that being done under the direct authority of the hon. Minister of Public Works. Tenders were called for and were given out for the purchase of certain supplies, but it was given in evidence before a committee, which had to-day reported to the House, and whose report was on the table and contained a copy of the letter sent by order of the hon. Minister of Public Works,—that in July 1874 those tenders had expired, and that Messrs. Black Brothers, & Co., were furnishing the whole supplies to the railways as far as Nova Scotia was concerned. It was not satisfactory that the Government should have the power of ignoring a Minute of Council thus passed, and it was necessary that some authoritative action should be taken by the House. Moreover, notwithstanding the fact that the principle of tender and contract was adopted by the late Government. The present Manager of the Railways, Mr. BRYDGES, who had control of the purchase of supplies, had made purchases to the amount of $200,000 without any public tender or contract, and that in the matter of supplies to the railways he was advised—he did not say the circumstance influenced Mr. BRYDGES—that the father-in-law of the gentleman who was formerly the Manager's Private Secretary, obtained a contract for supplies to the amount of 200,000 for the Intercolonial Railway from Mr. BRYDGES. When that fact leaked out and became a matter of notoriety, and complaints were made by the Star Manufacturing Company of Halifax, that, although they had sent in the lowest tender for similar work on a former occasion, and were prepared to do the work in a satisfactory manner, they did not receive it, they were solaced by having a private bargain made with them to furnish two hundred cars additional. He asked the House whether in view of transactions of that nature it was not time that some authoritative action was taken by the House for the purpose of preventing undue favoritism, either on the part of the Government or on the part of Mr. BRYDGES, the Manager of the Government railways. Those circumstances should be quite sufficient to induce the House to pass the motion he submitted, which would carry out the policy adopted by the late Government, and which they directed the Manager of the railways to enforce. He concluded by moving the motion, and fixed the amount at or above which contracts must be obtained at $1,000.

The amendment was negatived on the following vote :—Ayes, 34 ; nays, 72.

The Bill was reported, and amendments read and concurred in.

NORTH-WEST TERRITORIES.

Hon. Mr. MACKENZIE moved the second reading of the Bill to amend and consolidate the laws respecting the North-West Territories. He explained certain changes he proposed to make in the Bill in committee. It would be observed that the 7th, 8th and 9th sections, contained provisions respecting certain ordinances for the administration of the laws of the North-West Territories. These sections were simply a recapitulation of the existing laws and practically simply continued the power vested in the Lieutenant Governor and Council of the North-West by the present law. He proposed, however, to remove some objections taken on the introduction of this Bill by some hon. members to the effect that we had no right to generally delegate subjects of legislation to another body in the way

it was done by the existing law. He did not himself see much force in that objection, as the Territories were practically constituted a Crown colony under our own immediate surveillance instead of under the Crown. He proposed to substitute for the seventh and eighth sections the following :—

"The Lieutenant Governor by and with the consent of the Council of the North-West Territories may make, ordain and establish ordinances as to matters coming within the subjects next hereinafter enumerated, that is to say :

1. Taxation for local and municipal purposes.

2. Property and civil rights in the Territories.

3. The administration of justice in the Territories, including the maintenance and organization of courts, of civil and criminal jurisdiction and including procedure in civil matters in these courts.

4. Public health, the licensing of inns and places of refreshment, landmarks and foundaries, cruelty to animals, game and the care and protection thereof, injuries to public morals, nuisances, roads and bridges, the protection of timber, jails, lock-ups, and generally all matters of a merely local and private nature.

5. The imposition of and punishment by fine or penalty or imprisonment for the violation of any ordinance of the territory made in relation to any matter coming within any class of subjects herein enumerated.

6. Provided that no ordinance so to be made by the Lieutenant Governor with the advice and consent of the Council of the said Territories, shall be inconsistent with, or alter or repeal any provision of any Act of the Parliament of Canada, or schedule of this Act or any Act of the Parliament of Canada which may now or at any time hereafter expressly refer to the said Territories, or which may be, at any time made by the GOVERNOR in Council, applicable to and in force in the said North-West Territories, or impose any fine or penalty exceeding $100.

7. And provided that a copy of every such ordinance made by the Lieut. Governor in Council shall be mailed for transmission to the GOVERNOR GENERAL within ten days after its passage, and may be disallowed by him at any time within two years after its passage, and all such Orders in Council and all ordinances so made as aforesaid shall be laid before both Houses of Parliament as soon as convenient after their passage.

8. The GOVERNOR in Council may by proclamations made from time to time, direct that any Act of the Parliament of Canada, or any part or parts thereof shall be in force in the North-West Territories or in any part or parts thereof."

The 9th section he proposed to amend to read as follows :—

" Provided further that when and so soon as any electoral district shall be established as hereinafter provided the Lieut.-Governor by and with the consent of the Council or the Assembly as the case may be, shall have power to pass ordinances for raising within such district by direct taxation or by shop, saloon, tavern, or any other such licences a revenue for local and municipal purposes for such district and for the collection and appropriation of the same."

The tenth section he proposed should read as follows :—

" Whenever any electoral district shall be found to contain not less than —— inhabitants, the Lieut. Governor by and with the consent of the Council or Assembly, as the case may be, pass ordinances creating municipal corporations, and thenceforth the power of the Lieut. Governor in Council in respect of taxation for municipal purposes shall cease, and every such municipal corporation shall thenceforth have the right to pass by-laws for raising within such municipality by taxation a revenue for municipal purposes, and for the collection and appropriation of the same.

11. When and so soon as any system of taxation shall be adopted in any district or portion of the North-West Territories the Lieut. Governor and Council or Assembly, as the case may be, shall pass all necessary ordinances in respect of education, and it shal therein be always provided that a majority of rate-payers in any district may establish such schools therein as they may think fit and make the necessary assessment and rates therefor, and further that the minority of rate-payers therein whether Protestants or Roman Catholics may establish separate schools therein.

The only other important amendment that he proposed was to make the provision for the prohibition of the sale of in-

toxicating liquors in the territory more stringent.

The Bill was read a second time, and the House went into Committee on it forthwith (Mr. Moss in the chair.)

It being six o'clock the committee rose.

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AFTER RECESS,

The House again went in Committee on the Bill (Mr. Moss in the chair.)

The first 44 sections were adopted.

On the 45th section, relating to the separate rights of married women in real estate,

Mr. MILLS suggested that the courtesy of the husband should be the same precisely as the dower of the wife, and that he shall have an interest during life to the extent of one-third of his wife's property. He moved an amendment to that effect.

Mr. PLUMB said the wife should have some advantage to compensate for the loss of the ballot unless the hon. member for Bothwell would propose to introduce woman suffrage into the territory.

Mr. SCATCHERD hoped the clause would remain as it is. It was the same as Ontario Law, and they should not introduce new principles of law into the territories.

Sir JOHN A. MACDONALD was of the same opinion, especially as this Bill gives the people of the territories power to change the law in this respect if they desired.

The amendment was declared lost and the section was adopted.

Certain amendments were made to render the provision for the prohibition of intoxicating liquors more stringent. The remaining sections of the Bill were passed, and the Committee rose and reported the Bill with amendments, which were read a first and second time, and the Bill was fixed for the third reading to-morrow.

INSURANCE.

The amendments made by the Senate to the Bill to amend and consolidate the several Acts respecting Insurance, in so far as regards Fire and Inland Marine business, were read the first and second times.

The amendments made by the Senate to the Bill respecting Life Insurance Companies and Companies doing any Insurance business other than Fire and Inland Marine, were also read the first and second times.

CAPE RACE LIGHT-HOUSE TOLL.

The Bill to repeal an Act of the Legislature of the Province of Prince Edward Island for the collection of the Cape Race Light-house toll was read the second time and referred to the Committee of the Whole forthwith. (Mr. FORBES in the chair).

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

COASTING TRADE.

The Bill to amend the Act 33 Vict., cap. 14, respecting the coasting trade of Canada, was read the second time and referred to the Committeee of the Whole forthwith. (Mr. COLIN MACDOUGALL in the chair.

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

PENITENTIARIES.

Hon. Mr. FOURNIER moved that certain amendments be made to the amendments made by the Senate to the Bill respecting Penitentiaries and the inspection thereof, and for other purposes. —Carried.

CRIMINAL LAW.

Hon. Mr. FOURNIER moved the second reading of the Bill to amend the Criminal Law relating to violence, threats and molestation.

Hon. Mr. MACKENZIE said the only objection he had to the Bill was that it deprieved his right hon. friend from Kingston of his laurels of 1872.

Sir JOHN A. MACDONALD—I have had my laurels.

Mr. MOSS was glad that the Government had adopted a measure which would do away with some very harsh provisions in the existing law. At the same time he was not disposed to find very much fault with the right hon. member for Kingston, as he had only adopted a measure which had then recently been enacted in England. However, he was still more pleased that it fell to the lot of this Liberal Government to amend an Act which pressed hardly upon workingmen.

Sir JOHN A. MACDONALD said he

had gained the laurels of passing a law which made Trades Unions legal, which was a great benefit to workingmen, and in order to prevent any possibility of opposition being made to that law on the ground that it went further than the English Act, he agreed to accept the other Act which had been introduced, and the two were accepted by the House. They all remembered the occasion of that law, namely the harsh treatment of a certain prominent gentleman towards his employees. With regard to the Liberal Government being entitled to any credit for this measure, he thought the whole credit was due to his hon. friend from Hamilton, who, in anticipation of having to go back to his constituents after the prorogation of the House, felt called upon to press this measure upon the Government. It was true that the Government did not go so far as his hon. friend had proposed; but they had, no doubt, with his hon. friend accepted the Bill on the principle that a half-loaf was better than no bread. He hoped that the hon. gentleman would tell his constituents that when he came back to this House next session, as he no doubt would, that he would seek to obtain the repeal even of this Act.

Mr. IRVING thanked the right hon. gentleman for his remarks, and said he was willing to acknowledge that since the utter failure of the present law had become apparent that hon. gentleman had heartily co-operated in getting it amended.

The Bill was read the second time and referred to the Committee of the Whole forthwith (Mr. Moss in the chair.)

The committee rose and reported the Bill, which was read the third time and passed.

THE FISHERIES ACT.

Hon. Mr. SMITH moved the second reading of the Bill to amend the Fisheries Act. He explained that the object of the measure was to abolish the old Fishery laws of Nova Scotia and make the general Fisheries Act applicable to that Province.

Hon. Mr. MITCHELL expressed his approval of the Bill.

The Bill was read the second time and referred to the Committe of the Whole, Mr. MILLS in the chair.

The Bill was reported, read the third time and passed.

THE POSTAL SERVICE.

Hon. D. A. MACDONALD moved the second reading of amendments made by the Senate to the Bill, to amend and consolidate the Statute Law for the regulation of the Postal Service.

Mr. BOWELL asked if letters addressed to the Government or members of it, and unpaid, would reach their destination.

Hon. Mr. MACDONALD replied that there was no exception to the law. All letters must be prepaid, whether on public business or not.

Hon. Mr. MITCHELL expressed his disapproval of this feature of the Bill.

The motion was carried.

THE MANITOBA ACT.

Order No 11 being called—House in Committee on Bill to amend an Act to amend and continue the Act 32 and 33 Victoria, Chapter 3, and to establish and provide for the Government of the Province of Manitoba.

Hon. Mr. MACKENZIE said some doubts having been expressed as to the power of this Parliament to pass the first section of this Act, and the Government having the power to do by Order in Council what was contemplated by the second section, he would move that the Order be discharged. With regard to the first section the Government were in this position—the late Administration had passed an exactly similar law in 1873. That Act was now on the statute book. Of course it was there without due consideration and was void, he presumed, as being in contravention of the Imperial Act. He thought it better, therefore, to discharge the Bill.

Sir JOHN MACDONALD said he was very glad the hon. gentleman had taken this course for the reasons given. He acknowledged the fact that the Act of 1873 was *ultra vires*, but the present Government had passed, last session, a Bill precisely similar to that Act.

Hon. Mr. MACKENZIE—I forgot that.

The order was discharged.

ORDERS DISCHARGED.

The following Bills were discharged from the Orders of the Day :—

To amend the Acts 36 Vic. Cap., 9, and 37 Vic. Cap. 34, respecting the appointment of Harbor Masters.

To remove certain difficulties in the Administration of the Criminal Law.

SUPPLY.

The report of the Committee of Supply of March 30th was taken up.

Items 187 to 200 inclusive were concurred in.

On item 201, Drill Sheds and Rifle Ranges, $5,000,

Hon. Mr. MITCHELL said he had been requested by several parties in Montreal to enquire whether any provision was likely to be made for the accommodation of the volunteers of that city.

Hon. Mr. MACKENZIE said it was well known to residents in Montreal that the drill shed was partly the property of the city and partly of the Government. The Government had expected that the city authorities would take steps to have that building re-enclosed. As to out-door accommodation, LOGAN'S Farm was rented to the city at the nominal price of $200 by the late Administration, and it was now leased for $2,000, subject to be taken up at the pleasure of the Government. Under the lease, as under the former lease, it could be used by the volunteers. Part of St. Helen's Island was enclosed for a similar purpose, although the public had the use of the Island under certain limitations. He thought there was nothing in the way of the volunteers using both places.

Hon. Mr. MITCHELL said he wished more particularly to inquire whether the Government intended to provide the volunteers of Montreal facilities for drill under cover during the season, when it was impossible to drill in the open air.

Hon. Mr. MACKENZIE said there was the sum of $30,000 in the estimates for 1875-6 for drill sheds. He believed that in Toronto, as well as Montreal, and probably also in St. John, there was a desire to have a good drill shed, and the Government proposed with that appropriation to render some aid. He hoped some arrangements would be made with the local authorities whereby that could be done.

The item was concurred in; also items 202 to 206, inclusive.

On item 207, for winter service between Prince Edward Island and the Mainland, $10,000, in answer to Hon. Mr. MITCHELL,

Hon. Mr. MACKENZIE said the Government were at present in negotiation with some parties for the purchase of a steamer for this service. It was intended to have a powerful steamer, so that a thorough attempt might be made to run a steamer between the Island and the Mainland in winter.

Hon. Mr. MITCHELL—I have very little doubt it can be accomplished.

Mr. SINCLAIR said he hoped the Government would procure an efficient boat, as last year the boat was not fit for the service. If an efficient boat made the attempt, we would then know whether the service could be performed or not. This spring the Island had suffered greatly on account of the irregularity of the mails.

The item was concurred in; also items 208 to 217, inclusive.

On item 218, $6,000, to pay first payment to such Indians as were absent when Treaty No. 4, was negotiated, and to provide them with presents, and seed and grain, in accordance with the treaty,

Mr. RYAN desired to call the attention of the House to the fact that Indian agents in Manitoba usually paid the Indians their treaty money at trading places, and sometimes at stores. If there was only one store in the place where the treaty money was being made there was no objection to the practice; but where there were two or three stores, it was evidently unfair that the payment should be made at only one of them. In the village of Portage du Fort there were three stores, one belonging to the Hudson Bay Company, others to private firms. It had been the custom to pay the Indians at the Hudson Bay Company's store, which was prejudicial to the interests of the other traders. The Indians generally contracted debts at some of the stores before treaty-money became payable, and under these circumstances the store where the payment was made usually obtained repayment of any debts, whereas the other stores obtained nothing.

Hon. Mr. LAIRD said the Indians were paid in money and not in goods, and when the cash was handed over to them, they could trade either with the Hudson Bay Company or any other parties, for the Government had no right to interfere in the matter. It appeared essential that local agents should shortly be appointed in districts where large numbers of Indians

congregated, and these agents would appoint the place where the treaty-money would be paid.

Hon. Mr. MACKENZIE said there was a great deal of force in the objection raised by the hon. member for Marquette, for it was well known that so soon as an Indian received money, he went to the nearest store and got rid of it.

Rt. Hon. Sir JOHN A. MACDONALD said his experience was, generally, that the Indians knew where to buy to advantage.

Mr. D. A. SMITH said the plans suggested by the hon. member for Marquette would remove all cause of jealousy, and it was desirable that the money should not be paid in any trading store, when it could be otherwise arranged.

Hon. Mr. LAIRD said the agents in Manitoba had no instructions to the effect that the money should be paid in stores, and if such was the practice, it was of their own choice.

Mr. SCHULTZ said the principle involved was one to which he had previously called attention. The Government for some reason had seen fit to do all the business in the North-West Territory either directly or indirectly through the Hudson Bay Company's officers. At Portage du Fort there was a court-house and other public buildings where payments could be made, but for some extraordinary reason they were made at the Hudson Bay Company's post. The consequence was that these posts being removed from localities where supplies could be purchased, the Indians on receiving their treaty money purchased goods in those remote parts at an extravagant rate of charges: and it was desirrble that the department should direct their agents in Manitoba to make the payments if necessary in an Indian tent rather than in the stores of the Hudson's Bay Company, or of other merchants.

The item was concurred in.

On item 219, $4,000 to pay to R, S. M. BOUCHETTE for himself and the other heirs of the late JOSEPH BOUCHETTE, Esq., in recognition of the value and importance to the country of the Geographical Works of the latter, and in furtherance of a recommendation of a Committee of the House of Commons held on the 14th May, 1873.

Mr. SCATCHERD said that by reference to the journals of the House it would appear that this claim of $4,000 was more than 60 years old, and had been rejected by every Parliament from that time down to the present. The House was now asked to concur in the item because it was recommended by a Committee of the House on the 14th March 1873. Hon. members would be aware of the opinion which the country entertained of the House of Commons of that date. It was stated that their recommendation ought not to be considered as of sufficient importance to warrant Parliament in paying that claim. If there were any justice in the claim it would surely have been settled before now. The debt was incurred, and ought to have been paid, if paid at all, by the Legislature of Lower Canada. Instead of that its settlement had been successively postponed and rejected by that Legislature. Singularly enough, although a majority of the committee of this House, who instigated the claim in 1873, were Government supporters and reported in favor of its payment, the claim was not entertained by the House. He considered that this was not the time to make this claim and that this was not the place in which it should be preferred.

Hon. Mr. HOLTON said this item was not proposed simply because the committee of 1873 recommended it, but because that recommendation was founded upon facts establishing the justice of Mr. BOUCHETTE'S claim. He only failed to receive his dues in consequence of the political difficulties culminating in the rebellion of 1837-8. The claim had been laid over from time to time, but never given up by the heirs of Mr. BOUCHETTE. As a matter of simple contract, if not of gratitude, he was entitled to this money. The late Province of Canada inherited the liabilities of the Provinces of Upper and Lower Canada, and the Dominion inherited the liabilities of the Province of Canada, He (Mr. HOLTON) believed the money was honestly due, and should be paid by the Dominion of Canada. He never had a clearer conviction of the justice of any claim submitted to Parliament than this.

Hon. Mr. MITCHELL said this was the first item of the liabilities of Old Canada which had come up in this way since confederation, that he as a representative of the Maritime Provinces, was willing to assume the responsibility of voting to have paid. He looked upon the services ren-

dered by Mr. BOUCHETTE as an inheritence which accrued to the whole country and not to the Province of Old Canada alone.

Mr. YOUNG felt very strong objections to allowing this item to pass. The fact that for nearly sixty years this claim had not been recognized by any Government of the late Province of Canada or Lower Canada before the union or the Dominion since Confederation, was *prima facie* evidence that the case was not sufficiently strong to induce the representatives of the people to settle the claim. Political difficulties might have been the cause of this between 1834 and 1838, but the union did not take place until some time after that. The claim was constantly pressed during that period, but no Government was willing to recognize and pay it. If the claim was a valid one, Quebec should settle it.

Mr. RYMAL said Government after Government, Conservative and Reform, had failed to pay this claim, and it remained for this Liberal Government to take up refused accounts and settle them. He for one would vote against the item,

Mr. DAVIES said it seemed to him if this was a valid claim it would not have been allowed to stand over for sixty years unpaid.

Hon. Mr. CARTWRIGHT said it was not quite correct to say that the justice of the claim had never been recognized by any Government. Had there been any means of taking legal steps against the Government, the case would have been tested in a court of law.

Mr. SCATCHERD asked if this claim was not contracted in 1814?

Hon. Mr. CARTWRIGHT said it was.

Hon. Mr. MACKENZIE said the mere fact that the claim was long unpaid would not invalidate its justice, if it was just otherwise. The late WILLIAM LYON MACKENZIE had a claim against the old Province of Upper Canada from 1835, and that claim was ultimately paid by the Province of Ontario in 1868, nearly forty years after it was contracted. The question with regard to this demand was whether the services rendered by Mr. BOUCHETTE were of such value and of such a general character that the Legislature should recognize it at the present time. He had looked into the claim, and could not discover whether it had not been paid. He quite admitted there was no legal obligation on this Parliament to pay it; but the question was whether the sum should be paid by any party at all representing the old Province of Quebec. The Dominion was in one sense the legitimate successor of the Province that originally contracted the debt; no doubt Quebec was still more legitimately the successor; but on the other hand, there could be no doubt that the maps of Mr. BOUCHETTE were the foundation of all the maps we had of British North America. The Government felt bound, on the retirement of Mr. BOUCHETTE, to place this sum in the estimates for the judgment of Parliament.

Mr. JONES (Leeds) did not admit the similarity of the claim of WILLIAM LYON MACKENZIE and this. This appropriation was for services which Mr. BOUCHETTE had rendered to science, the other was a payment to a man who had taken up arms against his QUEEN and country.

Hon. Mr. BLAKE said some years ago the question was raised with regard to claims of this kind against the old Province of Canada, and the policy adopted under the financial administration of Sir JOHN ROSE was this—inasmuch as by the Confederation Act Canada had assumed the debts and liabilities of the various Provinces, Canada would proceed to pay those things which were clearly debts, obtaining, of course, when possible the assent of the Province to obviate the difficulty, but not binding itself to obtain that consent preliminarily. With reference to such matters as might be considered claims, and which could not be called debts or liabilities in the true sense of the term, no arrangement should be made by the Government of Canada, except with the assent of the Provinces that were to be charged. Under that policy several claims were postponed, and never disposed of. There was one claim which came before a committee of this House, and which was reported upon unfavorably by that committee. He referred to the claim of Mr. DENNISON, jr., in connection with the seizure of the steamer Georgian. That was a claim, if it existed at all, against the late Province of Canada. At that time he (Mr. BLAKE) occupied a position in the Government of Ontario, and had communication with the hon. member for Kingston, who was then First Minister of Canada, on the subject. The rule was then then laid down by him (Sir JOHN) that as this was not clearly

debt, he would require the assent of both Provinces before paying it. He (Mr. BLAKE) believed that with reference to that very claim the same view had been adhered to by the present Administration, and that was the condition of the case some months ago. Now it appeared to him that the claim before the House was clearly one which should be charged against the Province of Quebec, and the Government should be guided by the principle referred to, viz., the assent of that Province should be obtained before settling it. He did not think that this Government could fairly be called upon to pay this amount, if they choose to settle the claim without the assent of that Province. The Province of Ontario had undertaken to discharge its debts of honor, and it seemed to him that Quebec should also discharge its debts honor.

Sir A. JOHN MACDONALD said the statement of the rule agreed to by Parliament was correctly expressed by the member for South Bruce. The rule was that a debt positively due by any Province should be assumed by the general Government and charged to that Province. But if it was a mere matter of favor or a mere moral obligation it was understood that it would not be paid and charged to the Province without the consent of that Province. The only question was whether this was a debt of the late Province of Canada. He believed it was a debt originally of Lower Canada that that Province owed Mr. BOUCHETTE for services performed. He belonged to the Family Compact party, and on that account it was impossible to get the popular branch of the Legislature to recognize his claim, and Mr. BOUCHETTE would not accept payment unless it was voted by Parliament. Mr. R. S. M. BOUCHETTE, his son, on the other hand, took up arms against the Government in 1837, and on that account his claim was not recognized by the Legislature in the early history of the United Province of Canada. Afterwards if any attempt to vote money for Lower Canadians the leader of the then Opposition, now a member of the Senate, would have raised the cry of French domination. So that Mr. BOUCHETTE had been kept out of his claim all this time.

Hon. Mr. VAIL observed that the right hon. gentleman had not followed the principle laid down by him to-night when he kept back from the Nova Scotia Government $24,000 of interest on the cost of the new Provincial buildings.

Mr. MOSS said it was clear from the Confederation Act that the Dominion should assume all the debts and liabilities of each Province, but not their mere moral obligations. He entered into the history of this claim to show that it was not a debt or liability which the Dominion should assume.

Hon. Mr. CAUCHON disagreed with the hon. gentleman, and held that this claim was really a debt. At the time of the union of Upper and Lower Canada, the latter Province had money on hand, while Upper Canada was deeply in debt.

Mr. SCATCHERD said if that was the case why did not Lower Canada pay this debt? The member for Quebec Centre had been in the Government since the union, and if this was a just debt, he ought then to have seen that it was paid.

Hon. Mr. CAUCHON said if the hon. gentleman could show that while he was in the Government this claim was made and refused, then his statement might have some force in it.

Mr. OLIVER said if this was a just debt it should be paid in full, but this vote was a compromise, which of itself was an evidence that the claim had no legal foundation.

Mr. DYMOND said the logical result of that reasoning was that the vote should be increased. It was no argument against the justice of this claim that it had remained unsettled so long, because it frequently occurred that just claims for compensation were not paid till after long delays. He referred to the claim of the family of Mr. JOHN MONTGOMERY which had not been paid until thirty-seven years after it originated. He had done what he could to induce the Premier of Ontario to recognize, and ultimately it was paid. The fact that recognition of this claim had been delayed so long should be no bar to its payment. Another reason why this claim should be paid was the fact that two years ago a Committee of this House reported it to be a just one; and another reason was that this House was now deriving advantage from the labors of Mr. BOUCHETTE.

Mr. BOWELL stated that the hon. member for North York had not properly placed before the House the facts in

relation to the payment made by the Legislature of Ontario to the estate of JOHN MONTGOMERY. The grounds on which he was prepared to vote for the item now before this House were that after long consideration the payment had been recommended to be made by a committee of the House, and there was a wide distinction between this case and that of MONTGOMERY. The payment to MONTGOMERY'S estate was not based on a report made thirty years ago, but the report recommended payment to be made to Mr. MONTGOMERY for provisions, fodder for horses and other articles for the use of the troops, and for the destruction of property which ought to have been destroyed under the circumstances.

The item was concurred in on the following division :—

YEAS :

Messieurs

Baby,	Langlois,
Barthe,	Lanthier,
Bertram,	Laurier,
Biggar,	Macdonald (*Kingston*),
Blain,	McDonald(*CapeBreton*),
Borron,	MacDonnell (*Inverness*),
Bourassa,	McDougall(*ThreeRivers*)
Bowell,	Mackenzie (*Lambton*),
Brouse,	Mackenzie (*Montreal*),
Burpee (*St. John*),	Maclennan,
Cartwright,	McIntyre,
Casey,	Masson,
Casgrain,	Metcalfe,
Cauchon,	Mitchell,
Church,	Moffat,
Cimon,	Monteith,
Cockburn,	Montplaisir,
Costigan,	Murray,
Coupal,	Orton,
Cunningham,	Ouimet,
Cuthbert,	Paterson,
Delorme,	Perry,
Desjardins,	Pickard,
Donahue,	Pinsonneault,
Dymond,	Plumb,
Fiset,	Pope,
Flesher,	Pouliot,
Fournier,	Pozer,
Fréchette,	Richard,
Galbraith,	Robillard,
Gaudet,	Rochester,
Gill,	Rouleau,
Gillmor,	Sinclair,
Hagar,	Stirton,
Haggart,	St. Jean,
Harwood,	Taschereau,
Higginbotham,	Thibaudeau,
Holton,	Thompson (*Cariboo*),
Hurteau,	Thomson (*Welland*),
Irving,	Tremblay,
Jetté,	Tupper,
Jodoin,	Vail,
Jones(*Leeds*),	White,
Kerr,	Wilkes,
Killam,	Wood,
Laflamme,	Wright (*Ottawa*),
Laird,	Wright (*Pontiac*),—95.
Landerkin,	

NAYS :

Messieurs

Appleby,	Macmillan,
Archibald,	McCallum,
Bain,	McCraney,
Blackburn,	McLeod,
Blake,	McQuade,
Bowman,	Mills,
Brown,	Moss,
Burk,	Norris,
Burpee (*Sunbury*),	Oliver,
Davies,	Platt,
De Veber,	Ross *Durham*),
Farrow,	Ross *(Middlesex)*,
Ferris,	Ross (*Prince Edward*),
Fleming,	Ryan,
Forbes,	Rymal,
Gibson,	Scatcherd,
Gillies,	Schultz,
Gordon,	Skinner,
Goudge,	Smith (*Selkirk*),
Horton,	Snider,
Kirk,	Thompson(*Haldimand*),
Macdougall (*Elgin*),	Trow,
McDougall (*Renfrew*),	Wallace (*Albert*),
MacKay (*Cape Breton*),	Wallace (*Norfolk*),
McKay (*Colchester*),	Young—50.

Items 224 to 227 inclusive were passed without discussion.

On 228, $3,562.50 to pay to the Hon. D. A. SMITH, M.P., the sum of £600,

Mr. WHITE (East Hastings) moved, seconded by Mr. BOWELL "that this item providing for $3,562.50 to be paid to the Hon. D. A. SMITH, M.P., in settlement of the amount advanced by him on the 6th February, 1872,—£600 together with interest thereon, be not concurred in, the said sum of £600 having been applied to a purpose of which this House cannot approve." He said that if what they had read lately in the newspapers of the action taken by the Hudson's Bay Company, was true, it was certain that this sum of money ought not to be paid to that Company. He knew there were many parties in this House, and in the country, who maintained that the hon. member for Kingston when in office should not have advanced $1,000 to get troublesome parties out of the territory, but on this occasion he (Mr. WHITE) had nothing to do with that question. He did not approve of that advance at the time, nor did he approve of it now. But though that had been done, it afforded no reason for this amount of $3,500 being paid. The Hudson's Bay

Company received from this country, as payment for its rights in the North West Territories, one and a half million of dollars, besides getting one-twentieth of all the land, and having the benefit of all the improvements that were effected, and which put so much money into the Company's pocket. Nothing could be done in that country but it must enrich the Company. Even the annuities given to the Indians had to be paid in the Company's stores, so that it might reap any advantage that might accrue therefrom. When they came to observe the action of the hon. member for Selkirk in the matter of the North-West difficulties, they must feel satisfied that there was some truth in the letters written by Sergeant MULLIGAN and O'DONOGHUE. He hoped hon. members who condemned the act of the hon. member for Kingston in sending the $1,000 would be equally ready to stand up and condemn the payment of the money which was advanced by the hon. member for Selkirk under the circumstances stated. He sincerely hoped that the item would not be concurred in by the House.

Mr. ROSS (Prince Edward) said that to be consistent he must vote against the item as he had done on a previous occasion. Adverting to the sum proposed to be paid to the BOUCHETTE family, it had been stated that Mr. BOUCHETTE was a rebel in 1837. [Cries of No.]

Hon. Mr. MACKENZIE—That is the case I believe.

Mr. ROSS said he felt it his duty to vote against that item also as he had done against the other, and he hoped the hon. member for East Hastings would pursue the same course. He felt he could not be a party to the payment of any money to one who had been in rebellion against his country.

Mr. BOWELL said the hon. member for Prince Edward had evidently misunderstood the statement of the hon. member for Kingston, for he had reversed the order of facts. The Mr. BOUCHETTE, of the product of whose labors the Government now proposed to show their appreciation, was one of the old Loyalists of Lower Canada, and not a rebel. It was one of his sons who was a rebel, but not the Mr. BOUCHETTE to whom the debt was due, which was an important distinction to draw.

Mr. ROSS (Prince Edward) remarked that the major part of the money would be paid to M. BOUCHETTE'S son, who had been in the employ of the Government for many years, and was well paid for his services. He understood he had been wounded during the rebellion of 1837.

M. CIMON: Je voterai pour que la somme dont se compose cet item, soit payée au membre pour Selkirk, pour la seule raison que c'est à la demande de Mgr. TACHÉ que cette somme a été mise dans les estimés, et non pas parce que je sympathise avec la position de l'hon. membre. Si Mgr. TACHÉ n'avait pas demandé que ce remboursement fût fait, je croirais devoir voter contre.

Mr. ROCHESTER hoped the House would adopt the amendment of the hon. member for East Hastings. The question had been before the House on a previous occasion, and he regretted that it should have again been introduced. Subsequent revelations had shown he was correct in the criticisms he had offered during last session in respect to the course that the officers of the Hudson's Bay Company had pursued in the North-West troubles. If there was any reliance to be placed on the reports and letters published in the newspapers, they were now likely to get at the bottom of the difficulties, and that power behind the Throne, of which he had spoken last session, was about to be unveiled. Sergeant MULLIGAN, it would be seen by his statement, was ready to swear to the truth of everything he had written; and if that was the case, was it right or proper on the part of the House to give this money to parties who were plotting against the Dominion, and endeavoring in every way they possibly could to injure the country, and who were, he believed, the instigators of all the troubles in the North-West? Those persons who had recently been amnestied for the murder of Scott were not so much to blame as other parties, for they were simply tools in the hands of those individuals who held the reins of power, and controlled their actions. That was fully shown both by the letters of O'DONOGHUE and Sergeant MULLIGAN. Under those circumstances he hoped the House would not for one moment think of sanctioning the expenditure of money as was proposed in this vote. In respect to the hon. member

for Kingston having sent $1,000 to the North West to be paid to some of the leaders of the rebellion in order to induce them to leave the country, it was an act which he could not justify, although he thought it was done with the best intention, as was supposed, in the interest of the country. He hoped the Government would withdraw the item, or that the House would vote it down.

Mr. CASEY said the question before the House was simply whether the Government were under obligations to reimburse a gentleman who, acting for the Hudson's Bay Company, advanced money to a former Government, for what was said to be in public use, to assist the Government in acting in what they considered to be for the interest of the country. It was ungenerous for any supporter of the late Government to endeavor to break faith when their leaders had pledged themselves for the money advanced, and the then leader of the Government stated on one occasion to the hon. member for Selkirk that it would be quite sufficient to put in a vote, stating the money had been advanced to Lieut. Governor ARCHIBALD for the purpose referred to, and he would receive the money next morning. Although this promise of repayment was never carried out, the leader of the Government had pledged the faith of the country to it. If the question of the policy of giving this money were open for discussion, he could say something about it as strong as what had been said by the hon. member for Cardwell. The question was now whether Mr. SMITH should be paid or not. He would most heartly support the Government. The amendment would only create an impression that the Opposition were endeavoring to obtain cheap popularity, but it would also be seen that it placed their chieftain in a delicate position. He hoped the hon. member for Kingston would exercise his influence with his supporters to induce them to vote for the item in the estimates.

Mr. PLUMB said facts had recently been brought to light which forced him to vote for the amendment.

Mr. JONES (Leeds) said he would vote for this appropriation because he believed the Government were in honor bound to redeem the promise of the Lieut. Governor of Manitoba.

Mr. BROUSE was not satisfied at having to pay the price of disloyalty, and he would, therefore, vote for the amendment.

Hon. Mr. BLAKE said he had no doubt this was a very unpopular vote, but it was also just, and he would vote for it. What the hon. member for South Leeds had said was strictly true. Mr. ARCHIBALD, as GOVERNOR of that territory had apprehension for the safety of the country and those apprehensions were shared by others qualified to judge of the danger. It was deemed proper in the public interest that this money should be advanced and it was procured from the hon. member for Selkirk. The right hon. member for Kingston took the same view when the circumstances were stated to him, as would be seen by the evidence of that hon. gentleman before the North-West Committee. The right hon. member deposed :—

"The largeness of the sum rather staggered me, especially as I had not heard the result of the previous payment ; but I did not hesitate to at once tell Mr. SMITH that if the Lieut. Governor, in the presence of such an exigency, had pledged the faith of the Dominion Government, and the money was advanced on that pledge, that he, Mr. SMITH, or the Company, should not be losers, and should be repaid. I stated that there might be a difficulty as to the means or fund out of which he would be repaid ; that it would be very embarrassing, if not impossible, to go to Parliament at that time for the money, and I asked him to allow the matter to stand over, repeating the assurance for myself that it must be repaid him in some way or other. I cannot remember any interview or conversation with Governor ARCHIBALD about it, although I have taxed my memory on the subject. I of course accepted Mr. SMITH'S statement. It then became simply a question of when and how. I took no other steps for ascertaining how the matter stood. I remember reference being made by Mr. SMITH to a sum of £500 sterling which it was desired to pay to the loyal French. The GOVERNOR may have spoken of this and of the £600 also, but I cannot remember. I have never had any doubt in my mind that this money should be paid. I intended that it should be paid. The subject was not formally brought up in Council because I was exceedingly unwilling to bring up the discussion of the RIEL affair at all, in consequence of the embarrassment I felt as to the position of my Lower Canadian colleagues. I was anxious to avoid discussion lest the result might be a claim for amnesty, and, in the event of the Cabinet not agreeing upon action, resignation. The consideration of the payment was therefore postponed, as I thought it made little difference to a Company like the Hudson's Bay Company. Early last November Mr. SMITH was very urgent, and I asked him to write me a letter stating the particulars (as he had done before) of the claim, that I might bring

it up before Council. He wrote such letter, but this being a few days before resignation no action was taken upon it."

That was the statement made by the hon. member for Kingston after having communication with Governor ARCHIBALD, as appeared further on in the evidence. The hon. gentleman was recalled and after having his evidence read over to him, had nothing to add to it. No doubt Governor ARCHIBALD intimated to Mr. SMITH that he had no authority to pay this money, but there was equally little doubt that he pledged the faith of the country as far as he could to its repayment to the hon. member for Selkirk. This House should respect that pledge and vote the money. The hon. member for Kingston would have been unworthy of his position it he had failed to respect that pledge, and this House would be equally unworthy if it refused to repay this money.

Mr. SCATCHERD thought if any payment was wrong it was the first one of $1,000 and not the second amount advanced by the hon. member for Selkirk. The claims of every one else had been settled. This Parliament had voted large amounts of land to parties implicated in the rebellion, yet no one objected to it. The claim of the hon. member for Lisgar had been settled, and why should this one be opposed? There might have been a mistake as to the necessity of this payment, but the money was paid in good faith, and it would be most unfair to refuse to refund it to the hon. member because it was asserted by some one that he had been implicated in the rebellion. There was no evidence to prove that assertion, and the money should be paid.

Mr. ROCHESTER observed that the $1,000 was sent up for the purpose, as was believed, of preserving the peace of the country during the winter season when it was impossible to send up troops.

Mr. LANDERKIN said it was quite clear that the hon. member for Selkirk had paid this money on the understanding that he would be repaid by the Government of Canada, and we should not shrink from discharging a debt of honor of that kind through fear that political capital would be made out of it.

Mr. FARROW said he could see no hurry for paying this money, especially in view of certain very curious revelations that had been recently made—revelations which he thought it the duty of this House to take notice of. The hon. member for Selkirk had promised to make some explanations to the House, but he had not yet done so, and before one cent of this money was paid there should be a thorough investigation of the charges made against him. If the hon. gentleman cleared himself, then he should be recouped this money, either by this Government or the Manitoba Government. The hon. gentleman could without suffering any hardship wait for this money till an investigation was had, which might take place in a week, if the House sat that long, or next session—especially as the money would be drawing interest all the time. He did not approve of this way of spending the public money, as he had not approved of the payment of the $1,000. The passage of this vote would forever stop the mouths of gentlemen opposite from saying anything against the payment of the $1,000, because if the payment now proposed is right, the first payment is equally right.

Mr. SMITH (Selkirk) said the statement which the hon. gentleman was so anxious for would be made in due time. He, however, wished to say that if in the opinion of any member of the late Government this was not a debt owing to him which ought to be paid, he would be perfectly satisfied if the House refused to pay it.

Mr. BOWELL wished to say in justice to the hon. member for Selkirk that he had expressed the most earnest desire before the North-West Committee to assist him (Mr. BOWELL) in entering into a full examination of the connection of the Hudson Bay Company with the troubles of the North-West, but the Committee had refused to go into that investigation.

Hon. Mr. TUPPER, in the absence of the leader of the Opposition, said he felt bound to state that if that hon. gentleman was in the House he would at once declare that the Government were bound to discharge this debt, and the late Government were prepared to do so as soon as it could be done.

The House then divided on the amendment, which was lost; yeas, 27; nays, 89.

YEAS:

Messieurs

Bain,	McQuade,
Bowell,	Moffat,
Brouse,	Monteith,
Brown,	Orton,

Cuthbert,
Farrow,
Ferguson,
Gibson,
Gordon,
Haggart,
Kirk,
Macmillan,
McCallum,
McCraney,
Platt,
Plumb,
Rochester,
Ross *(Durham)*,
Ross *(Prince Edward)*,
Ryan,
Schultz,
White,
Wright *(Ottawa)*—27.

NAYS:

Messieurs

Appleby,
Barthe,
Bertram,
Biggar,
Blackburn,
Blain,
Blake,
Borron,
Bourassa,
Bowman,
Buell,
Burk,
Burpee *(St. John)*,
Burpee, *(Sunbury)*,
Cartwright,
Casgrain,
Cauchon,
Cimon,
Cockburn,
Coupal,
Davies,
DeCosmos,
Delorme,
Desjardins,
De Veber,
Dymond,
Ferris,
Fleming,
Flesher,
Forbes,
Fournier,
Fréchette,
Galbraith,
Gill,
Gillies,
Gillmor,
Hagar,
Higginbotham,
Holton,
Horton,
Hurteau,
Irving,
Jetté,
Jodoin,
Jones *(Leeds)*,
Kerr,
Laird,
Lajoie,
Landerkin,
Langlois,
Laurier,
Macdonald *(Kingston)*,
McDonald *(Cape Breton)*,
MacDonnell *(Inverness)*,
Macdougall *(Elgin)*,
McDougall *(Three Rivers)*
MacKay *(Cape Breton)*,
Mackenzie *(Lambton)*,
Maclennan,
McLeod,
Masson,
Metcalfe,
Mills,
Mitchell,
Mousseau,
Murray,
Norris,
Paterson,
Pickard,
Pouliot,
Pozer,
Richard,
Robillard,
Ross *(Middlesex)*,
Scatcherd,
Skinner,
Snider,
Stirton,
St. Jean,
Taschereau,
Thibaudeau,
Thompson *(Haldimand)*,
Thomson *(Welland)*,
Tremblay,
Trow,
Tupper,
Vail,
Wallace *(Albert)*,
Wallace *(Norfolk)*—89.

Mr. FARROW rose to move another amendment. As he had before stated, he was in favor of the hon. gentleman being paid this money, provided the charge made against him was not true. In view of that charge the hon. gentleman should take the first opportunity of clearing himself. And he should wait a week or till next session until he proved his innocence of the charges preferred against him before he received this money.

Hon. Mr. HOLTON—Who makes this charge? Do you?

Mr. FARROW—The charge is circulated throughout the country.

Mr. SPEAKER—I think this has gone almost too far. My impression is that it is not fair to speak of charges made against any hon. gentleman which are not made in this House. Mere newspaper report or rumors afford no justification for such a course. If any hon. gentleman is prepared to make a charge let him lay it upon the table and the action of the House could then properly be taken on it. But where there is nothing of that kind I do not think it is fair to constantly speak of an hon. gentleman as lying under charges.

Sir JOHN A. MACDONALD—I quite agree with the opinion you have now expressed, but remember that these charges were distinctly brought before this House by the member for Selkirk himself, who said he was going to reply to them.

Hon. Mr. MACKENZIE—They were referred to by a gentleman opposite in the first place, and it was quite naturally that the hon. member for Selkirk should reply to the accusation, although if I was in his place I would pay no attention to Sergeant MULLIGAN's charges.

Mr. BOWELL—If I recollect rightly the first time the name of Sergeant MULLIGAN was mentioned in the House was by the hon. member for Selkirk himself. He mentioned the name, and afterwards I rose and asked him if it was the same Sergeant MULLIGAN who had written a certain letter.

Hon. Mr. BLAKE—It may be quite competent for an hon. gentleman to take notice of charges made against him in a newspaper, but until some hon. gentleman chooses to adopt these charges and assume the responsibility of preferring them in this House I quite agree with you, Mr. SPEAKER, that they should not be made the ground of any action by the House, I call the attention of the House to an observation of the hon. member for North Huron, which I was not surprised at coming from him, that this money should not be paid till the hon. gentleman from Selkirk proved his innocence. That is his notion of the rights of a British subject. How would the hon. gentleman like to be assumed guilty of any charge that might be

made against him until he had proved his innocence ?

Mr. FARROW — He volunteered to prove his innocence. I will not take up the time of the House, but will move in amendment: That this item be not now concurred in but that a commissionbe appointed to investigate the charges against officers of the Hudson Bay Company of having encouraged the insurrection in the North-West.

Mr. SPEAKER—I do not think I can put that amendment, as there are no charges before the House.

Hon. Mr. MITCHELL—I think my hon. friend is rather injudicious in making that motion at the tail end of the session. If a Committee to investigate so important a matter as the charges referred to in the motion is to be appointed it ought to be appointed at an early period of the session. I suggest to my hon. friend that he withdraw his motion and make it again if he chooses when Parliament meets again. For my own part, as a member of the late Government I am prepared to support the vote asked for by the Government.

Mr. FARROW—With the leave of the House I will withdraw the amendment.

Amendment withdrawn and the item was concurred in on a division.

On the next item, to pay the sum agreed to be paid to certain parties for services during the troubles in the North-West, $2,500,

Mr. WHITE said I am glad to see this sum placed in the estimates. We have to-night seen the lion and the lamb lie down together; the member for South Bruce after all he has said on this subject throughout the country has to-night acknowledged that this payment to RIEL and LEPINE was right. He told a different story throughout the country, and when he comes again before the people he will be in a peculiar position. If the hon. gentleman had been on this side of the House this item would not have passed with so large a majority. It makes all the difference in the world which side the hon. gentleman is on. But we have succeeded in one thing; we have succeeded in forever closing the mouths of the Grits of Ontario on this subject. They got into power on the cry of the murder of THOMAS SCOTT, but once in power they take quite a different position. I was proud of the hon. member for South Bruce when as Premier of Ontario he offered a reward for the apprehension of those who took the life of THOMAS SCOTT; but he has forgotten all that now and is willing to say that the member for Kingston is one of the most upright and conscientious men in the country. If it be true that coming events cast their shadows before, the first thing we know the member for Kingston and the member for South Bruce will be forming a new Administration, and the members of the present Government will have to give place to those gentlemen opposite who are so anxious for a seat in the Cabinet. If we are to judge from the remarks of the hon. member for South Bruce to-night we must come to the conclusion that something of this kind is to take place. I hope the hon. member for Selkirk will be able to give satisfactory explanations to this House, for certainly the question of the North-West troubles is not yet settled. I was pleased with the remarks of the member for Grenville, and I agree with him that if the payment of this money had been made an issue in the last election, that item would not have been placed in the estimates, or if placed it would not have been passed.

The item was concurred in; as also items from 230 to 236 inclusive.

On item 237, law books for the Supreme Court, $3,000, in answer to hon. Mr. BLAKE,

Hon. Mr. MACKENZIE said it was intended by this vote to supplement the law books in the Parliamentary Library. From all the information the Government had received from legal gentlemen the Library was singularly deficient in that respect.

Item concurred in.

Items from 238 to 251 inclusive were concurred in without discussion. On item 252, $25,000 for purchase of Cow Bay Breakwater,

Hon. Mr. MACKENZIE repeated the explanations previously given in respect to the purchase.

Hon. Mr. MITCHELL thought the purchase of the work for $25,000 when $50,000 would be required to improve the harbor, was a bad investment, when the annual return was only $3,800.

Mr. MACKAY (Cape Breton) said the harbor was one of the best in Nova Scotia, and during one of the most severe gales

between sixty and seventy vessels were saved from disaster by obtaining shelter in the harbor.

The item was concurred in. Items from 254 to 266 inclusive, were also concurred in.

PRIVATE BILLS.

The Bill respecting the Montreal Northern Colonization Railway Company was read a third time and passed.

The Bill to change the name of the Mutual Insurance Company of Canada to "The Dominion Life Assurance Company," and to amend their Act of incorporation, was considered in Committee of the Whole, reported, read a third time, and passed.

The House then adjourned at 1:20 A. M.

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HOUSE OF COMMONS,

Friday, 2nd April, 1875.

The SPEAKER took the chair at three o'clock.

OFFICIAL REPORT OF THE DEBATES.

Mr. ROSS (West Middlesex) moved the adoption of the report of the committee appointed to make arrangements for the reporting of the debates of the House for the next session.

Hon. Mr. MACKENZIE asked the hon. gentleman to explain the arrangements that had been made.

Mr. ROSS said that the arrangements for reporting were based on the same principle as that adopted by the Committee of Internal Arrangements for the present session. The present editor was engaged at the rate of $5,000 per session. His engagement for the present session was at the rate of $500 per week, and his contract was based on the expectation that the session would last ten weeks. The committee had made arrangements with him to prepare the reports next session for a lump sum, and had imposed upon him the additional duty of preparing a very careful index after the model of the index to the English *Hansard*, and also of revising the proofs. They had made arrangements for the printing, after having notified all the printers of the city that they would receive tenders, with the Parliamentary printers, Messrs. MCLEAN, ROGER & Co. They had also arranged for the translation of the reports into French through the official translators of the House. The cost of the translation would be at the rate of $1.25 per page of 800 words, the usual price being $1.60. It was estimated that they would save on the whole book $300 as compared with the usual rates. The whole cost of the *Hansard* for next session, including the reporting, printing and translating, would not exceed $9,000. The committee had practised the utmost economy consistent with the production of a good report.

Hon. Mr. MACKENZIE asked if the official translators were to be paid $1.25 per page in addition to their present salaries.

Mr. ROSS said the official translators would get extra translators to do the work. The arrangement was made through them for the sake of convenience.

Hon. Mr. POPE—As far as I can learn the French speeches will appear in the English edition in French.

Mr. ROSS—Yes.

Hon. Mr. BLAKE said it was unfortunate that the English edition was not to be completely in English just as the French edition was to be completely in French.

Sir JOHN MACDONALD quite agreed with that view. It seem to be absurd that one volume should be entirely in one language, and the other a polyglot. The additional expense would be very insignificant.

Mr. ROSS said the committee would be happy to adopt the view suggested, but there had been such an outcry on account of the expense that they were very anxious to economize as much as possible.

Mr. YOUNG regretted very much that the original proposition had not been adopted of having the speeches reported and published in the language in which they were uttered on the floor of the House. He was afraid that a departure from that economical system would lead to a large additional expenditure. The House was aware that heretofore the great obstacle in the way of establishing a *Hansard* was the expense of having the speeches reported in both languages, and as a compromise the plan of this session was adopted. He wished to add that he was sure the House would agree with him

that the *Hansard* this session had been found to be of great service, and he believed it would contribute very much to the usefulness of the debates. He was very glad to hear the Chairman state that the whole expense would not exceed $9,000.

Mr. MILLS said that the proposition of the committee was a very great improvement upon the present plan. They could all understand how very anxious hon. gentlemen who spoke in the French language were to be fairly reported, and on that account they were obliged in many instances to speak in English, when they could speak with more facility in their own language. He did not think the present arrangement was a fair one, as French members were obliged to send to their constituents reports of the debates, printed in a language which many of them did not understand. One great advantage of a *Hansard*, in addition to its being a correct record of the debates, was that it would relieve members from absolute dependence upon the newspaper reports. He was sorry that the committee had not gone one step further, and provided for a complete English edition, as well as a French one. The cost of the *Hansard* was, he believed, money well expended.

Hon. Mr. POPE approved of the suggestion, that the English edition should contain a report of all the speeches in English, just as the French edition would contain a report of all the speeches in French.

Mr. ROSS said he was quite willing to act on this suggestion.

The report was then adopted.

THE POSTAL SERVICE.

Hon. D. A. MACDONALD said the House would remember that the provisions of the Act to regulate the Postal Service, relating to newspapers would not go into operation until the 1st of October next. He had received communications from several newspaper publishers asking that they might be enabled to take advantage of the new system at once. With the permission of the House, he would therefore move an address to HIS EXCELLENCY the GOVERNOR GENERAL praying that he will be pleased to authorize the Postmaster General to make arrangements with all proprietors of newspapers and periodicals published in Canada, who may apply for the transmission thereof by Post, during such period prior to the 1st of October next, as may be agreed upon, at the rates of postage and on the conditions, at and on which, under the Bill in that behalf now awaiting HIS EXCELLENCY'S sanction, they will be transmissable on and after the said 1st day of October next; assuring HIS EXCELLENCY that this House will concur in any measure that may be requisite for making good any expenditure or loss of revenue involved in such arrangements.

The motion was carried.

THE RAILWAY ACT.

Hon. Mr. MACKENZIE moved the third reading of Bill further to amend the general Act respecting railways.

Mr. BLAIN said he had given notice that he would move an amendment to this Bill, but at this late hour in the session he would not press this motion unless the Government were willing to accept it.

Hon. Mr. MACKENZIE thought it would be inconvenient to attach the amendment to this Bill, as there was nothing in the latter affecting passengers or the rates to be charged. It would be much better that any legislation of this kind should be brought up in a distinct and definite shape next session.

Mr. BLAIN withdrew his amendment.

The Bill was read a third time and passed.

THE NORTH-WEST GOVERNMENT.

Hon. Mr. MACKENZIE moved the third reading of Bill to amend and consolidate the laws respecting the North-West Territories.

Sir JOHN MACDONALD said he did not object to the third reading and passage of this Bill, but he would again impress upon the leader of the Government the expediency, from an economical point of view, of governing the North-West Territories from Fort Garry. A commission could be issued to the Lieut. Governor of Manitoba to act for the present as Lieut. Governor of the North-West. He had plenty of time on his hands, and there was no reason in the world why he should not direct his attention to the government of the whole of the North-West for the present. The objection of the hon. Premier that the North-West Council had proved a failure, because none of its members residing west of Manitoba was fully answered by the hon. member for Selkirk who stated that

at least six of these gentlemen were scattered through the territory and knew all about it.

Hon. Mr. MACKENZIE received the suggestion of the hon. member, in the spirit in which it was offered, but could not adopt it. If he had not regarded this measure as a necessity he would not have introduced it. The Lieut. Governor, as one of the commissioners who accompanied the Minister of the Interior to negotiate a treaty with the Indians, although only absent three weeks from Manitoba and distant about 250 miles from that Province was, obliged to issue a commission to the Chief Justice to act as Lieut. Governor of Manitoba in his absence. That was, to say the least, inconvenient, and the inconvenience would be increased, of course, in proportion to the length of absence required in administrating the affairs in the North-West.

The Bill was read a third time and passed.

FOREIGN ENLISTMENT.

On the order being called for the third reading of the Bill to prevent enlistment in the service of any foreign State, in certain cases not provided for by the Foreign Enlistment Act.

Hon. Mr. MACKENZIE stated that in the absence of the hon. Minister of Justice, who was detained at his office, he would beg to announce to the House that it was not the intention of the Government to proceed with the measure during the present session. Whilst they adhered to the general provisions of the Bill, they admitted that it was perhaps not very urgently required at the present moment, and as some of its provisions appeared to some hon. members to conflict with the Imperial Act published in our Statutes of 1872, they had decided to drop the Bill for the present, and consider the objections which had been made to it during the coming recess. He moved that the order be discharged.

Sir JOHN A. MACDONALD said he was very glad that the Government had decided to adopt that course. If the Act had been in force at the time the war was going on between the North and South, every man who went from Canada to fight for the Northern cause—and they went by tens of thousands—would have been liable to have been marked as criminals. If such a law had been in operation in England some of the most conspicuous men in its history would have come within its provisions, including Sir GEORGE NAPIER, Lord BYRON and others. The whole of the officers serving, during the Peninsula War, by the consent of the Sovereign, with the Portugese army, although they were auxiliaries of England, would have come within the scope of such an act, had it been in force in England, and they would have been liable to be treated as criminals. The Bill submitted by the Government went too far, and would introduce into our legislation as a crime that which was allowed by England and all other nations. The men who left England to fight in the cause of liberty under GARIBALDI, and the Papal Zouaves, who went to fight for what they considered the holiest of all causes—that of the Pope, when he was a temporal Prince—would all be liable to be indicted for misdemeanor on their return. It would never prevent a single man joining such expeditions, because only earnest men would join them; but it would have prevented them returning.

The order was discharged.

SUPPLY.

Hon. Mr. CARTWRIGHT introduced a Bill for granting supply to HER MAJESTY, which was read the first time.

DUTIES ON OAK LOGS AND STAVE-BOLTS.

On motion of Hon. Mr. CARTWRIGHT, the Bill to amend the Act 31 Vict., chap. 44, was read the second time.

The House then went into committee on the Bill. (Mr. BROUSE in the chair).

Mr. McCALLUM regretted the Government did not see their way clear to removing export duties altogether, although at the same time he was not opposed to the Bill. He was opposed, however, to the principle of export duties, believing that the people should be allowed to go free to the markets of the world with their products, whether of the mine, sea, or forest. If the arguments in favor of export duties had any force, an export duty should be levied on wheat, and it was useless to levy such duty on timber exported from Canada, when we had such extensive forests in the country. If the export duty was removed only from oak

logs and stave-bolts it would practically be class legislation. The retention of the duty resulted in a very small revenue to the country. The amount received last year, when oak-logs and stave-bolts were excluded, was only $11,545. Believing that the duty should be removed from all classes of timber, he moved in amendment—"That all the words after bolts be struck out and the following substituted: saw-logs and all kinds of timber cut on private property other than the Government limits of the several Provinces of the Dominion.

The amendment was lost, and the committee rose and reported the Bill, which was read a third time and passed.

CONTINUATION OF ACTS.

The Bill to continue for a limited time the Acts therein mentioned, was read a second time, and referred to the Committee of the Whole forthwith—Mr. KIRKPATRICK in the chair.

The committee rose and reported the Bill, which was read a third time and passed.

LARCENY.

The Bill to amend the Act, 33 Vic., cap. 21, respecting larceny and other similar offences, was read a second time, and referred to the Committee of the Whole forthwith—(Mr. PALMER in the chair.)

The committee rose and reported the Bill, which was read a third time and passed.

DISCHARGED ORDERS.

The following orders were discharged:—

Receiving report of Committee of Whole on certain resolutions to increase the salaries of the Civil Service of Canada, as provided in the Act respecting the Civil Service of Canada.

Second Reading Bill (No. 74) An Act respecting the Civil Service of Canada.

House in Committee on Bill (No. 20) An Act to amend the law relating to Criminal Procedure.

Further consideration of the proposed motion of Mr. ORTON for the appointment of a Special Committee on the Agricultural interests of the Dominion.

Second reading of Bill for the prevention of accidents entailing loss of life in Breweries and Distilleries,

Mr. McCallum.

PACIFIC RAILWAY TELEGRAPH.

The order was called for the further consideration of the proposed motion of Mr. TUPPER, for an Address to HIS EXCELLENCY the GOVERNOR GENERAL, for copies of all specifications and contracts for the construction of any portion of a Canadian Pacific Railway Telegraph, with all correspondence relating thereto; and the motion of Mr. BOWELL in amendment to the same.

Mr. KIRKPATRICK said the motion and amendment did not go far enough. These contracts were clearly given out contrary to the statute, and therefore this House should state that fact as the ground for their refusing to approve of these contracts. The statute provided that Government should not have authority to let contracts for building a telegraph line in advance of the location of the line of railway. Now, it was evident from the reports laid before the House that the line of railway had not been located as far as the contracts, for the telegraph had been given out. He therefore moved to add to the amendment the following words:—"Contrary to the statute authorizing the construction of the said telegraph line, and therefore this House does not approve of said contracts."

The House divided on the amendment, which was lost on the following division: Yeas, 48; nays, 101.

YEAS:

Messieurs

Baby,	Macdonald (*Kingston*),
Bowell,	McDonald (*CapeBreton*),
Cameron (*Cardwell*),	Macmillan,
Caron,	McCallum,
Cimon,	Masson,
Colby,	Mitchell,
Coupal,	Monteith,
Currier,	Montplaisir,
Cuthbert,	Mousseau,
DeCosmos,	Orton,
Desjardins,	Ouimet,
Dugas,	Palmer,
Farrow,	Platt,
Ferguson,	Plumb,
Flesher,	Pope,
Gaudet,	Robitaille,
Gill,	Rouleau,
Haggart,	Ryan,
Harwood,	Stephenson,
Hurteau,	Thompson (*Cariboo*),
Jones (*Leeds*),	Tupper,
Kirkpatrick,	Wallace (*Norfolk*),
Lanthier,	White,
Little,	Wright (*Pontiac*),—48.

NAYS :

Messieurs

Appleby,	Kerr,
Archibald,	Kirk,
Bain,	Ladamme,
Barthe,	Laird,
Béchard.	Lajoie,
Bertram,	Landerkin,
Biggar,	Laurier,
Blackburn,	Macdonald (*Cornwall*),
Blain,	Macdonald (*Glengarry*),
Borron,	MacDonnell (*Inverness*),
Bourassa,	Macdougall (*Elgin*),
Bowman,	McKay (*Colchester*),
Brouse,	Mackenzie (*Lambton*),
Brown,	Mackenzie (*Montreal*),
Buell,	McLeod,
Bunster,	Metcalfe,
Burk,	Moffat,
Burpee (*St. John*),	Murray,
Burpee (*Sunbury*),	Norris,
Cameron (*Ontario*),	Oliver,
Cartwright,	Paterson,
Casey,	Pelletier,
Casgrain,	Perry,
Cauchon,	Pickard,
Cheval,	Pouliot,
Church,	Pozer,
Cockburn,	Ray,
Coffin,	Richard,
Cunningham,	Robillard,
De St. Georges,	Ross (*Durham*),
Dewdney,	Ross (*Middlesex*),
Donahue,	Ross (*Prince Edward*),
Dymond,	Scatcherd,
Fiset,	Sinclair,
Fleming,	Skinner,
Fournier,	Smith (*Peel*),
Frechette	Smith (*Westmoreland*),
Galbraith,	Snider,
Gibson,	Stirton,
Gillies,	Taschereau,
Gillmor,	Thibaudeau,
Gordon,	Thompson (*Haldimand*),
Goudge,	Thomson, (*Welland*),
Hagar,	Tremblay,
Hall,	Trow,
Higginbotham,	Vail,
Holton,	Wallace (*Albert*),
Horton,	Wilkes,
Huntington,	Wood,
Irving,	Young—101.
Jodoin,	

Mr. PLUMB said that after the very significant vote just passed he supposed it would be useless for him to appeal for reconsideration. But he felt it due to himself and the gentlemen with whom he was acting to say a few words before the proposition of the Government was adopted. In looking over the speech of the First Minister on this subject he found this statement :—"He felt from the first "that it was absolutely indispensable to "have telegraphic communication with "the various points on the line in order to "prosecute a successful survey, and in "order to conduce to the settlement of the "North-West Territories as well as to lay "out the line upon which the road should "ultimately be built." The Premier further stated that the cost of the clearing of the timber lands along the line of the telegraph would be allowed as part of the expense of building the railway, and, therefore, it was evident that the lines must be chartered or that cost would be wasted. On the other hand, the Act required that a "line of telegraph should be constructed in advance of the said railway as soon as practicable after the location of the railway line." He believed the construction of the line of telegraph must in some measure fix the location of the line of railway. The First Minister said he had given out contracts for the telegraph lines from Fort Garry to Fort Pelly, from Fort Pelly to Edmonton, from Edmonton to Cash Creek and from Thunder Bay to Fort Garry ; and a large portion of the work had been proceeded with and the wires were being put up in the western division. Now, either the location of the railway was fixed by the letting out of those contracts or the money spent in building a telegraph line, not on the line of railway would be lost. He trusted the amendment of the hon. member for North Hastings would receive the favorable consideration, as the question now to be decided was one of the most important that could be brought before the House.

Mr. BOWELL'S amendment was then put and declared lost on the same division.

PROHIBITORY LIQUOR LAW.

Mr. ROSS (Middlesex) moved that the House do again go into Committee of the Whole to consider the following resolution :—That having regard to the beneficial effect arising from Prohibitory Liquor Laws in those States of the American Union, where the same are fully carried out, this House is of the opinion, that the most effectual remedy for the evils of intemperance would be, to prohibit the manufacture, importation, and sale of intoxicating liquors.

The motion was carried and Mr. BUNSTER was called to the chair.

Mr. THOMPSON (Cariboo) protested against the introduction of these fanatical

ideas into the House when the Ministers themselves dare not attempt to repress what they all acknowledged was an evil. It was left to hon. gentlemen who went about this country as paid lecturers, probably making their living by agitating this question—it was left to them to come forward here and try to thrust their absurd ideas on this House; and the Government and their followers meekly swallowed all they had to say. He would be quite prepared to support a Prohibitory Liquor Law if he thought it would be carried into effect, but every one knew such a thing was impossible. It was well known, in the first place, that it would be ruinous to the revenue, and the smuggling that would be carried on across the frontier would make such an Act null and void. It had been a failure in the States, and therefore he regarded this as an attempt to perpetrate a fraud upon the community. It was nothing but an attempt to bring certain men prominently before their constituents and enable them to carry the temperance vote. He considered this measure a fraud, a mockery, a delusion and a snare.

Mr. BOWELL said he had moved an amendment and he wished to know if the hon. member for Cariboo referred to him. If so he would inform that hon. gentleman that he was not a temperance lecturer.

Mr. THOMPSON said he did not allude to the hon. member for North Hastings.

Mr. YOUNG said no one ought to attribute motives to any hon. member in this House in respect to any measure he might bring under its notice. There was no doubt the hon. member for West Middlesex was perfectly candid and sincere in every move he had made in this matter. Every one acquainted with him knew how earnestly he had advocated the temperance cause.

Mr. ROSS (West Middlesex) said it was true he had lectured on temperance, and was prepared to do so again, and he was only sorry that in his missionary tours through the country he had not visited British Columbia. Possibly if he had chanced to be in that hon. gentleman's constituency when an election was proceeding, and his (Mr. THOMPSON'S) success had depended on the temperance vote, he (Mr. Ross) and those who were of the same opinion as himself, would not have had such disparaging remarks addressed to them as the hon. gentleman had indulged in this evening. Was it not the business of a politician to elevate the moral *status* of society, and make it better than he found it if he had the opportunity. If that was not his business what was it? If this House was not now prepared to consider this question, it would some day be prepared to take it up. He did not usually venture any remarks of a prophetic character, but he would say that he believed the moral convictions of the people of this country were fast approaching that stage when, if the hon. gentleman valued his position in this House, he would not dare to speak of temperance men and the temperance cause in the way he had done to-day. He agreed with the amend ment of the hon. member for North Hastings, but he did not consider that it would add to the value of the motion before the House. Temperance advocates desired to advance step by step. His object this session was to get the opinion of this House, as the opinion of the Senate had been obtained. The Government could then consider the expediency of introducing a measure to prohibit the sale and manufacture of intoxicating liquors in the Dominion. If they would not do so, it would be his (Mr. Ross') duty to introduce such a measure himself.

Mr. MACKENZIE (Montreal) said the only data or statistics before this House were contained in the report the Commissioners who went to the United States to report on the working of the Prohibition Law in that country. He regarded that report as a mass of crude and undigested remarks on a very important subject. The editor of one of the leading papers in Montreal had well said that there was nothing in that report which would justify Parliament in passing a Prohibitory Liquor Law. It would be absurd for the House of Commons of Canada at this late period of the session to pass a law of that kind. The hon. member for West Middlesex evidently supposed that, weary as many members were of the length of the session, the House would pass the motion just to get rid of a vexatious and not, as now presented, an over-interesting subject. But he (Mr. MACKENZIE) trusted the House would show sufficient sense on that occasion as not to be led by the hon.

member, and that hon. members would pause before they committed themselves to the principle of prohibition, which would bind this country for all time to come. It was not fitting that representatives sent to Parliament should hastily pass a resolution which committed them in the manner the motion would commit them. There was no information before the House which would justify such action as some hon. members wished the House to take. It was a remarkable fact, one to which he desired to call attention, that Prohibitionists very frequently used political exigencies to make converts. The hon. member for West Middlesex admitted that, if he had been in British Columbia and the hon. member for Cariboo had been, as the Americans say, in "a tight place" in political matters, he might have made a convert of that hon. gentlman by force. Prohibitionists were like MAHOMET who went with the Koran in one hand and a sword in the other, and converted the people whether they wished it or not to the doctrines of his faith. The Prohibitionists were anxious and willing and always endeavoring to force people to vote as they wished whether the person's conscience or convictions were opposed thereto or not. Another great apostle of temperance was the hon. member for South Ontario, who carried out the principles of MAHOMET in other respects. That hon. member accused him the other night with being a Mohammedan from misunderstanding his remarks, and based his conception of him (Mr. MACKENZIE) on that misunderstanding. The hon. member accused him of wishing for a Mohammedan heaven. He (Mr. MACKENZIE) said nothing of the kind. In a little bit of banter he said that if that ridiculous law and similar sumptuary laws were to be passed in this country, all they could hope for was that they might get to another planet where there was no prohibitory liquor law. He said nothing about a future state, for be would not joke on such a subject, and every one would do him the justice to believe that statement. But an old politician like the hon. member for South Ontario, who dared to call him a Mohammedan should have reflected, as he was himself a Mohammedan, and while abstaining like Mohammedans from liquor, indulged in pleasures which they were only too fond of. He (Mr. MACKENZIE) knew that the time of the House was valuable, but it was more important that such a law of the character proposed should not disgrace our legislation, than that a short time should be occupied in discussing that serious question. He asked hon. members in considering the subject to reflect on the fact that there was not sufficient information before them on which to legislate. Why, therefore, should they be led to pass a motion which committed them to the principle of prohibition. If they once committed themselves to the principle we would see politics dragged through the mire for the sake of a good cause, — temperance, as had occurred in the United States. It was well known that in the States candidates of the very worst kind in other respects had been elected to prominent positions merely because they were whole-souled, total prohibitionists, and the advocates of that cause were introducing the same system into Canada. It was absurd that such a system should be sought to be introduced into a new country like this. We want honest, able men pledged to go to Parliament to do what is right according to their consciences; we do not want men pledged beforehand, for the sake of gaining a few votes, to go for prohibition, which had not been successful anywhere, and yet the measure proposed for this country was one to prohibit entirely the use of even the mildest descriptions of wines or liquors. Hon. members should pause before they allowed the Prohibitionists to enact such a law as they now sought to pass. An hon. member of the other branch of the Legislature very properly said the other day, that in Ontario where the people knew perfectly well that the Legislature of the Province could not pass a Prohibitory Law, they had the hypocrisy to petition the Dominion Parliament that it would enact such a law. The supporters of prohibition often signed petitions to Parliament ten or a dozen times, and induced their wives and children to sign. They even went so far as to sign for children yet unborn, and petitions so signed were presented to Parliament as an expression of the public opinion of the country. There never was a movement got up with so much noise and with so little in it. The proposition presented to the House was premature, to say the least of it. Whether hon. members agreed with his

views or not, they would believe it was premature for Parliament to pass such a sweeping measure as that proposed, and commit themselves to the principle that such a law should be placed on the Statute Book. He trusted the House would show that it would not be led away by the clamor and noise of fanatics and bigots. He referred to the extreme wing of the Prohibitionists, for there were Prohibitionists for whom, as he did for total abstainers, he entertained great respect. There were, however, some few Prohibitionists who were such bigots and fanatics that it was useless to discuss with them, they could not be convinced, for, as MOORE said in a beautiful simile, "the mind of a bigot is like the pupil of the eye, the more light that is thrown upon it, the more it is contracted." Those men who were temperance men at heart, as well as all thoughtful people throughout the country would consider that the House had acted wisely if to-day they refused peremptorily to pass an Act which was based on insufficient data, which would be utterly ineffectual and bring law into contempt, and make good and honest men in other matters commit perjury, because they needed a stimulant, however harmless.

Mr. OLIVER repudiated the statement of the hon. member for Montreal West that the temperance movement was carried on in Ontario with hypocrisy. He knew the people of Ontario perhaps better than that hon. member, and he could tell him that they were sincere in this movement and the House and the country would know they were sincere in a short time. The Legislature of the Province on behalf of the people, and the various religious denominations had petitioned this House for a Prohibitory Liquor Law; and he could tell the hon. gentleman that the petitions presented to this House represented the feeling of nine-tenths of the people of Ontario. It was no disgrace for the ladies of Ontario to petition for this law. They perhaps more than any other class suffered in consequence of the liquor traffic. He believed that the affirmation by this House of the principle of prohibition would be of great advantage to temperance men in their struggle to put down the liquor traffic. It was important that the opposition to this movement should be developed, and the affirmation of the principle of prohibition by the House would effect that end at least. He never expected that a representative of the great wealthy metropolis of this Dominion would be the first to lead on the opposition to this measure. Temperance men would now know that they had to contend against. The adoption of the resolution before the House would show the country that this Legislature was in earnest, and would cause all those interested in the liquor traffic to take their stand publicly in its favor, and temperance men would then know the strength of their opponents. They now knew they had to fight against West Montreal, if that constituency was fairly represented in this House, and they also knew by the sentiments expressed by two hon. members from British Columbia that they would have opposed to them a large section of that Province; and he had no doubt there was also a pretty strong opposition in Ontario. The result of adopting the motion now before the House would be to develop all the opposition to prohibition that there was in the country, and the temperance men would then know just what they had to contend against. He might say with his hon. friend from Waterloo, that, having heard Mr. Ross lecture on temperance—though he was not a paid lecturer as insinuated—and from his personal knowledge of him, he knew he was perfectly sincere in this movement, and at all events, there was no hypocrisy about him. He trusted that the resolution now before the House would be carried almost unanimously.

It being six o'clock, the committee rose, and the SPEAKER left the chair.

AFTER RECESS.

The House again went into committee (Mr. GOUDGE in the chair.)

Mr. MACDOUGALL (East Elgin) said there were few that would deny that intemperance is a vice, and that it should be suppressed. The member for Cariboo declared that there were some who were advocating the suppression of intemperance who were not strictly temperance men themselves. That might be the case; it might be that there were some who so long as the liquor traffic was legalized indulged in the use of liquor, and yet who were desirous for the suppression of

intemperance. The charge had been made that those who advocated prohibition were insincere. He believed that accusation to be without foundation, and no hon. gentleman should accuse another of insincerity in the promotion of any measure simply because he did not approve of it himself. He was satisfied that those who advocated prohibition were sincerely desirous in the public interest to see it carried into effect. The question now before the House was the resolution of the hon. member for West Middlesex and the amendment of the hon. member for North Hastings. Now, the amendment did not controvert the principle embodied in the resolution; it did not deny that intemperance was a vice and that it should be suppressed. It in fact admitted the whole principle of the resolution and merely added that the Government should assume the responsibility of initiating legislation upon this subject. If, then, the principle of the resolution was admitted, then it was for those who did not approve of the plan suggested to propose some better mode of attaining the desired object. An insinuation had been made that those who advocated prohibition were paid lecturers. It might be that paid lecturers did advocate prohibition, but that was a matter of indifference. The important fact for this House to consider was that the subject had been very fully discussed throughout the country, and the people were well informed upon it in all its bearings. There could be nothing more unfair than to insinuate that the men who were advocating prohibition were narrow-minded bigots, incapable of judging intelligently as to what would promote the best interest of the country. It had been his happiness to be acquainted with the hon. member for West Middlesex for a long time. That hon. gentleman had long taken a deep interest in this question and had been the means of doing a great deal of good by his advocacy of temperance, and to whomsoever the charge of insincerity might apply it certainly did not apply to him. He hoped that the hon. member for North Hastings would withdraw his amendment and allow the resolution, feeling assured that by taking that course he would be best promoting the object he as well as the hon. member for West Middlesex had in view.

Mr. PLUMB said this resolution contained a reference to the salutory effects of prohibition in the United States. Now he had a personal knowledge of the effects of the prohibitory law in the State of New York. About 20 years ago that State was carried upon the temperance question by a majority of from 20,000 to 30,000. That Legislature passed a most stringent prohibitory law which was to go into effect on the 3rd July. The provisions of the Act were so stringent and severe that it was a dead letter from the first. It never was acted upon, no prosecutions were commenced under it that he was aware of, and the succeeding Legislature repealed it. At the next election the temperance movement was utterly defeated in the State by a majority of about 30,000. He thought that law stood to-day as the warning to this Parliament. He would say nothing against the arguments advanced to show the evils of intemperance. He only wished to say that from the effects which had followed such laws where they had been in force he could not vote for the passage of such a measure in Canada. He did not think a proper investigation had been made into the working of the liquor law in such States as Maine and Massachusetts. From what he had heard of the working of the law in these States it had failed utterly to prohibit intemperance, and drinking was carried on more extensively under cover of prohibition than ever it was openly.

Mr. BOWELL, in reply to the suggestions of the hon. member for East Elgin, said he would more willingly withdraw his resolution if he thought it would endanger the movement. When the hon. member for West Middlesex placed his resolution on the paper, he (Mr. BOWELL) stated his opinion of them. They affirmed an abstract opinion of which every one approved, and were inconsequential in their character, but could accomplish no good. Something more must be done and the principle laid down by the hon. member for Wentworth was the correct one. If prohibition was ever to be carried out in this country the people were as ready for it now as ever they would be. Ever since he (Mr. BOWELL) had the honor of occupying a seat in Parliament the table had every year been groaning with petitions in favor of prohibition, and Parliament had been in the habit of placing resolutions on the journals affirming the principle and burking them in some

way or other, either by their own mismanagement or by other manœuvres attempted, and very often the committee rising and reporting without doing anything. If prohibition was ever to be carried out in this country, the battle must be commenced by enforcing the law after its enactment. Believing this and being quite sincere in what he was doing, he believed the time had arrived when the feeling of this House should be tested on the temperance question. If Parliament was opposed to prohibition the question would be settled, and no further time would be lost in discussing it. If his amendment would be rejected he would support the resolution of the hon. member for West Middlesex.

Mr. DYMOND said he was also of opinion that the time had come when this House ought not to rest satisfied with simply discussing this question as it had been discussed before, that was to say, without endeavoring to arrive at some definite result. He had suggested the other evening that the question should not be brought up again until the House was able to ask the Government to take legislative action on the subject, and he was convinced there was no one in this House who in his heart of hearts believed that the time had come when legislative action could be effective or possible. He was certain that the hon. member for Hastings regarded his amendment as a piece of political strategy.

Mr. BOWELL—Order ! Order !

Mr. DYMOND—Well, all was fair in war. The honorable member would agree with him that the amendment would be no more effective if it passed at the present time than the motion of the hon. member for West Middlesex. Many hon. gentlemen who did not suppose this subject would come up again this session were absent, those who really desired that a practical result would be arrived at, had since the last discussion conferred together, and steps had been taken to bring before the country the question in its political aspects, in order that at the next or some future session as discretion might guide them, they might be able to come to a final decision on the subject, therefore, no one who voted down the amendment would prove false to the principle of prohibition. He believed the House would act wisely in voting down the amendment and in affirming the principle contained in the resolution of the hon. member for West Middlesex. They could then set to work after the prorogation of Parliament to bring the subject before the country in such a light that they might be able to assist the Government in accomplishing what he had no doubt they were desirous of doing, at the right time.

Hon. Mr. MACKENZIE had no objection whatever to the hon. member for Hastings or any other person indulging in a little harmless political strategy. But suppose the hon. gentleman should carry his amendment—and of course he would not—it would be an affirmation of nothing. The House knew by reasons of decisions rendered by the highest legal luminaries of the Ontario bar that the Local Legislature was vested with the power to legalize or prohibit the sale of intoxicating liquors. No doubt a different decision had been given in New Brunswick, but that decision had been appealed from, and there was very little doubt that the power which was said to be vested in this Government and Paliament would ultimately be found to rest with the Local Legislatures, but in any case a formal decision had been obtained from the Courts of Appeal to satisfy the House and the country where the real power rested in the matter. He (Mr. MACKENZIE) had taken the ground frequently that had been taken by those who were in favor of prohibition. He had declared himself in favor of such a law, but he knew that any legislation which was not in accord with the views of the people generally was not only useless but harmful. As any law almost was better than a state of anarchy, he thought the country would be better under the license system until public opinion had reached that state which would fairly warrant a Government in imposing a law like this on the country. It was the custom, he was aware, to say public opinion had greatly advanced during the last few years. In one sense public opinion had advanced—that is to say there were at the present moment a larger number of hon. gentlemen, and among the religious classes of the community, in favor of a Prohibitory Liquor Law than perhaps at any former period ; but on the other hand our statistics showed there was a very much greater quantity of ardent spirits

consumed *per capita* than at any previous period of our history. This showed that while their might be an elevated public opinion among the classes that guided the religious and political feeling of the community, there was among the strata of society—among those who were the bone and sinew of the country—sufficient opposition to any probitory system to make the law ineffectual no matter by what majority it might pass this Legislature. In the absence of public opinion—such as he believed was absolutely essential—it would be a piece of the merest folly to go through the force of enacting a Prohibitory Liquor Law. He would do his part cheerfully in carrying on that agitation, in which he had assisted for more than a quarter of a century in his own humble way; but at the present time, to vote for the amendment of the hon. member for Hastings would be simply assisting that hon. gentleman, and those who were allied with him, in carrying out a piece of political clap-trap.

Mr. BOWELL said it came with an ill grace from the leader of the House, in view of the part that hon. gentleman had played in the recent discussion on this subject, to attribute improper motives to any hon. member in this House. In view of that little manœuvre on the Treasury Benches to frustrate an expression of opinion upon this question it ill became the Premier to rise in his place and tell him (Mr. BOWELL) that he was actuated by a desire to make political capital in moving this amendment. It was an easy matter to go into committee on a resolution which the hon. gentleman had well described as meaningless and harmless and to rise without even carrying it. Then these hon. gentlemen could get on the stump and say, "See what we have done in this matter! We have affirmed the great principle that intemperance is a crying evil." The Premier and those who dictated the course pursued on that occasion never intended to proceed any further in the matter. He (Mr. BOWELL) was quite prepared to listen to all the charges, insinuations and innuendoes of those who were leading the House in this matter. He was not in the habit of extolling his own virtues or delivering temperance lectures, but he was willing to compare his advocacy of the temperance cause with that of the hon. the Premier, and when he proposed to affirm a great principle he wished to see it met fairly and squarely without any humbugging. The hon. member for North York no doubt found it desirable, in the constituency which he represented, to prepare his way before returning to his constituents. Although this vote was to be taken in committee and there would be no record of it on the journals, he had made up his mind to be content with the expression of opinion thus obtained, and if his amendment were rejected, to support the motion of the hon. member for Middlesex and say nothing more about it. But after the speech which the Premier had just delivered, if any chance should present itself, that hon. gentleman and the hon. member for North York would be given an opportunity to record their votes either for or against his (Mr. BOWELL's) proposition. He did not accuse the hon. member for West Middlesex of any want of sincerity, but he still contended that the whole of this manœuvring on the part of the Government and their supporters had been to accomplish the very end of which he (Mr. BOWELL) had been accused.

Mr. ROSS denied that the course he had pursued had been dictated by the Premier or anyone else, and he would again repeat that if the Government did not see their way clear at an early day to propose some legislation he would either introduce such a measure himself or support any one who would do so.

Mr. WHITE (North Hastings) said if it were true that the Premier had advocated Prohibition for a quarter of a century, now was the time when he had a majority of from 75 to 80 to carry anything he wished to bring before the House and country, to accomplish the great object of which he expressed such hearty approval. There never was a time since that hon. gentleman's connection with the politics of this country when he could do so much for Prohibition as he could now. The time would never come again in that hon. gentleman's history, when he would have such a majority at his back, if he were to remain in public life for twenty years to come. His (Mr. WHITE's) humble opinion was that the very parties who were screeching for prohibition were trying to deceive the people. If the amendment was such a harmless one, why did the Premier oppose it? Why did the hon. member for North York ask the House to vote it down? If there was one thing on earth which he

(Mr. WHITE) despised and hated it was a hypocrite. If there was any man for whom he had profound contempt it was a person who would go into his cellar and drink liquor, and afterwards come up to the House and advocate prohibition. If there was one thing he hated more than another it was the man who would say he had for 25 years been an advocate of prohibition, and then when the opportunity was presented to pass a Prohibitory Liquor Law, refused to do it. He believed the hon. gentleman opposite would not succeed in deceiving the honest, independent, and conscientious electors of this country.

Mr. KERR rose to protest against the tone of the remarks of two or three hon. gentlemen who had spoken on this subject, who, instead of meeting arguments by reason, attempted to throw ridicule and contempt upon this important question. But those who ventured to assume that attitude would learn before long that they had made a mistake. He was not a temperance lecturer, much less a paid one, but he had been a life long advocate of temperance principles in an humble way. It was unfair for the member for Cariboo to impugn the motives of the member for West Middlesex, because those who knew that gentleman knew he was incapable of advocating this great question from personal or political motives. He would repeat what he had stated elsewhere that if that hon. gentleman did no more during his entire political career than collect the important facts and arguments contained in his magnificent speech of last session on this subject he would have done enough to deserve the approval and esteem of the whole country. With regard to the opposition to prohibition he was sorry to see that it was not opposed in this House by reasonable argument, but by rhetorical statements and abuse of those who favored the measure. He regretted that the hon. member for Montreal West had seen fit on a former occasion to speak of the temperance question as he had done. At that time he supposed the hon. gentleman was speaking under the impulse of some extraneous provocation, and that upon sober reflection he would repent of the line of observation he had taken, and he was exceedingly surprised to find that hon. gentleman after reflection, after visiting his constituency, pursuing the same line of remark to-night. He trusted that he did not in this matter truly represent the views of the people of Montreal. He had been credibly, informed that that gentleman when before his constituents specially courted the support and influence of the friends of the temperance movement. He (Mr. KERR) could not go the length of the amendment of the hon. member for North Hastings. He believed in advancing slowly, but at the same time surely, and a great step will he taken if we can induce this Parliament to affirm the principle of prohibition. It might be one or five or ten years before the measure could be passed, and when the time did come it would be the duty of all well-wishers of their country to unite regardless of party of political considerations to aid whatever Government might then be in power in carrying out this great reform. The advocates of every great social reform had been characterized as madmen and fanatics just as WILBERFORCE was when he commenced his agitation for the emancipation of the slaves. He would therefore say to the member for West Middlesex, and the other advocates of prohibition not to be discouraged by the opposition that was arrayed against them, but to press on their work until success crowned their efforts, and they showed the whole Dominion that the friends of prohibition were the true friends of Canada. He shared very largely in the opinion that the people of this country were not yet prepared for a Prohibitory Liquor Law. At the same time they were in a state of preparation; and he asked every friend of the cause to contribute his mite towards the accelera- of the good time when that preparation would be complete. He trusted that all the members of this House, regardless of every other consideration, would unite to do all in their power to assist this Administration or any future Administration to work out this great problem. He trusted they would not follow the course of one hon. gentleman he had heard of, who said he voted for a Prohibitory Liquor Law because he knew it would not carry, and then he went down to the saloon and took a glass on the strength of his vote. It was not by such men that they might expect a prohibitory measure to be carried, but by those who were in earnest like his hon. friend from West Middlesex.

Mr. F. MACKENZIE (Montreal West) said he wished to say only a few words in defence of himself in reply to the gross attacks upon him by the last speaker. That hon. gentleman hinted that he (Mr. MACKENZIE) in the last electoral campaign in Montreal West, had courted the support of the prohibitionists. This charge was based on one letter in the Montreal *Witness*, of the 31st of March, and on the same day that paper in an editorial article, said: "We are not prepared to admit that "Mr. MACKENZIE has been proved to have "deceived the prohibitionists. Mr. "MACKENZIE distinctly assured all who "spoke to him, of what his opinions were "on the question of prohibition. He did "not pretend to have changed them in the "least degree." After that he supposed he would hear no more of this particular accusation. Then the hon. gentleman went on to talk of his having spoken in the House under some extraneous excitement, or made some insinuation of that kind. He (Mr. MACKENZIE) neither knew nor cared what the hon. gentleman meant, but he could ask the House whether that gentleman had not appeared to labor under just as much excitement in his speech to-night whatever might be the source of it.

Mr. KERR—I disclaim any intention of insinuating anything against the hon. gentleman.

Mr. F. MACKENZIE said he was willing to accept the disclaimer. But talking of excitement he might remind the House that the gentleman who succeeded him in the former debate spoke in a strain of excitement far in excess of anything of the kind exhibited by him; and the *New Light* had attacked him in a way which, had the paper not been so insignificant, would have justified him in bringing the editor before the bar of this House. That paper had called him all sorts of names, winding him up by declaring that he had broken his pledges and calling him a liar and a poltroon. All he could say was that if the Prohibitionists were going to conduct their campaign in that way they were not very likely to be successful. Before he sat down, he might mention that he had noticed to-night a telegram from Boston to this effect: "The liquor "Bill, as a substitute for the present Pro-"hibitory Law, finally passed in "the House yesterday, and only requires "the GOVERNOR'S signature to become a "law. The Bill prohibits the open sale "of liquors over the bar, but provides for "licenses in connection with hotels and "restaurants." Some modified measure of this kind might be successfully carried out with the acceptance of the whole people.

Mr. THOMPSON (Cariboo) said he was as much in favor of temperance as any one, but as for prohibition, that was quite another question. We had certain inalienable rights which not even this Parliament could take from us. The gentleman who were calling out so loud in this House for prohibition knew whether they were guilty of hypocrisy or not, and he would leave that point to be decided by the public and by their own consciences. They were advocating in a hypocritical, religious-speaking way, principles which they knew could not be carried out, and the whole of them were a parcels of humbugs from beginning to end. He was one of those who called a spade a spade, and in calling this whole temperance movement a humbug he described it by its proper name. This question was forced upon the attention of Parliament from year to year merely to preserve the popularity of certain hon. gentlemen among a portion of their constituents. He would advise those who were so fond of advocating prohibition in a religious way to turn up their New Testament, and read of the Saviour of the world turning water into wine, and then let them turn their attacks upon Him for daring to encourage and countenance liquor-drinking.

Mr. BOWELL'S amendment was then put to the Committee and lost by a vote of 9 to 72.

Mr. ROSS'S resolution was then adopted, and the committee rose and reported it.

Mr. BOWELL moved, seconded by Mr. SCHULTZ, that the report be not now received, but that it be referred back to the Committe of the Whole for the purpose of adding the following:—

"That it is the duty of the Government to prepare a measure at as early a day as possible to carry the principle of prohibition into effect."

Mr. SPEAKER said this amendment was out of order as the report was now merely received *pro forma* and did not in any way bind the House till it was read a second time and concurred in.

Mr. BOWELL said he took the point that it was the privilege of any member to object or propose an amendment at any and every stage of a measure in its passage through the House.

Mr. SPEAKER cited the rule on the point from May, and maintained his former opinion.

ADJOURNMENT.

Hon. Mr. MACKENZIE moved the adjournment of the House.

Hon. Mr. TUPPER hoped the First Minister was not serious in proposing the adjournment of the House, as no proposition he could make could be open to so serious objection as this one was at the present early hour in the evening. We were told that we were approaching the last hours of the session, and yet there were a large number of notices of motion still upon the paper. He himself had a motion which he was extremely anxious to reach — a motion of the greatest importance, namely, one with reference to the contract with Mr. FOSTER for the construction of the Georgian Bay Branch Railway. That contract was laid on the table some time ago, and he understood the First Minister to say that he intended to invite an expression of the opinion of the House upon it. It was not till his attention was called to the resolution relating to the subsidy that he found such was not the case. He then put his notice upon the paper. Under the rules of the House if a contract lies on the House thirty days without being disapproved it thereby became approved by the House. Under these circumstances, and in view of the large number of other notices upon the paper, the First Minister could not be serious in saying that upon the eve of the close of the session he intended to preclude hon. gentlemen from bringing these motions before the House. If he was serious in making that proposal, he trusted he would change his determination. No Government had received more assistance from the Opposition in expediting public business than had been accorded to the present Government this session. Not only was that the case, but three months' legislative duties had been crowded into two.

Hon. Mr. MACKENZIE said he did not leave the House till 4 o'clock Thursday morning, and this morning the House sat till 2 o'clock, and on an average for the last ten days till 1 o'clock, and he thought that deserved an adjournment at ten o'clock to-night. He thought the House had done as much work during the last seven weeks as was ever done by any Parliament in this country in the same length of time. He did not wish to hurry the House to a close, but the House was now half empty, and hon. members were very impatient to get away.

Hon. Mr. TUPPER said his hon. friend had stated a very strong reason why the House should not now adjourn. What kept the House till four o'clock Thursday morning? It was the House assisting the Government to carry through their measures; and he thought the Government were now bound to give hon. members an opportunity to deal with business other than Government business.

Mr. WRIGHT (Pontiac) hoped the First Minister would not press the adjournment. Since the House met, engineer's had been sent up to survey the Georgian Bay Branch Railway, and it was highly important to certain contemplated enterprises that the public should know what these engineers had to report.

THE NORTH-WEST TROUBLES.

Mr. D. A. SMITH (Selkirk)—Before the House adjourns I desire to call their attention to certain allegations made in the Ottawa *Citizen* by a person named W. B. O'DONOGHUE to the effect that while employed on a confidential mission for the Government of Canada I betrayed the trust imposed in me, that I in that capacity while at Fort Garry conspired with others against the Government of this country and against the Government of HER MAJESTY the QUEEN. At that time I reported to the Canadian Government with regard to the measures I had taken while employed in their service. It is known to the hon. members of this House that then, as to some extent now, I was connected with the Hudson Bay Company, but it was not in that capacity that I then visited Fort Garry but as representing, as I have said, the Government of Canada in a confidential capacity. It is said by Mr. O'DONOGHUE that on that occasion I recognized the "Provisional Government" then in the country as the lawful Government of the country. Such, Mr. SPEAKER, is not the case. I

will refer to a report I then made to the Government at Ottawa on 12th April, 1870. In that report I stated :—

"The Gate of the Fort we found open, but guarded by several armed men, who, on my desiring to be shown to Governor MACTAVISH'S house, requested me to wait till they could communicate with their chief. In a short time, Mr. LOUIS RIEL appeared. I announced my name; he said he had heard of my arrival at Pembina, and was about to send off a party to bring me in. I then accompanied him to a room occupied by ten or a dozen men, whom he introduced to me as members of the 'Provisional Government.' He requested to know the purport of my visit, to which I replied in substance that I was connected with the Hudson's Bay Company, but also held a commission from the Canadian Government to the people of Red River, and would be prepared to produce my credentials so soon as they, the people, were willing to receive me. I was then asked to take an oath not to attempt to leave the fort that night, nor to upset their Government, legally established. This request I peremptorily refused to comply with, but said that, being very tired, I had no desire to go outside the gate that night, and promised to take no immediate steps forcibly to upset the so-called 'Provisional Government,' 'legal or illegal, as it may be,' without first announcing my intention to do so.' Mr. RIEL taking exception to the word illegal, while I insisted on retaining it. Mr. O'DONOHUE, to get over the difficulty, remarked 'That is as he' (meaning myself) 'understands it,' to which I rejoined, 'Precisely so.' The above explanation, I am the more particular in giving, as it has been reported that I at once acknowledged the Provisional Government to be legal. Neither then nor afterwards did I do so.',

It charged by Mr. O'DONAGHUE against me, that while at Fort Garry I aided and abetted RIEL, for in his letter he says :—

"The insurrection was advised by Governor WM. MACTAVISH, who, with other officers of the Hudson's Bay Company, also aided and abetted in it from its inception up to the very hour it ceased to exist; that RIEL was in constant communication with Governor MACTAVISH, and acted on many occasions under his instruction; but he (Governor MACTAVISH) fully recognised the Provisional Government; that DONALD A. SMITH on arriving at Fort Garry recognised the Government also in my own hearing, and during his stay in the Fort; and that after the departure of both of these from the country, RIEL continued to hold council with JOHN MACTAVISH, who then represented the Hudson's Bay Company."

It is true, Mr. SPEAKER, that on several, indeed on many occasions while there I met RIEL and other members of the so-called Provisional Government; but those meetings were in pursuance of the duty I had undertaken as Commissioner for Canada. They were held solely and entirely with the view of inducing those people, the people of Red River, to come into the Confederation, and certainly not with the intention of advising them to remain, as they had been for some time, at enmity with the Dominion. I think I can best show to this House the position which I occupied by referring to documents and letters. The first occasion on which I had any communication with the Government at Ottawa with respect to the North-West, was with Sir JOHN ROSE, on 20th August, when it was intended that the Hon. Mr. HOWE should go there. I wish to show that instead of any difficulty being thrown in the way of Officers of the Government entering the North-West, every facility was afforded them, and I can do this by referring to letters in my possession. I a letter dated 20th August, Sir JOHN ROSE thanked me for the assistance and facilities given to Mr. HOWE. A letter sent by the Hon. Mr. WM. MACDOUGALL, not to myself personally, but to Mr. HOPKINS, who was supposed by him at that time to be acting for the Hudson's Bay Company, shows that the Company had done everything they could to expedite Mr. MACDOUGALL'S entry into the country. To show that after I arrived at Fort Garry I acted in good faith throughout, and endeavored to give what in my judgment was the best advice possible to the Government which sent me there, I will quote the following extract from my letter to Sir JOHN MACDONALD of 4th January, 1870 :—

"You are aware that upwards of sixty individuals principally from Canada have been imprisoned here for three weeks back, of these, seven have been liberated * * It is said that others will be allowed to go free shortly, and this I think is not improbable, but it cannot be taken as an indication of an intention to relax in the course already determined on by the moving spirits in the 'Provisional Government.' Bishop MACRAE called on me to-day, and he evidently has not the slightest hope that anything short of the introduction of a considerable body of troops can result in restoring order; and this appears to be the prevailing opinion of the well-disposed portion of the community. Some of the most intelligent and trustworthy men I have seen, and they are now more than ever impressed with the necessity of unanimity and perfect accord among the English speaking party, who with very few exceptions are well affected to the British Crown and a large majority to the connection with Canada. But in the present condition of matters, there cannot, and must not be any hostile collision between the different parties. Nothing is more to be deprecated than this, and any influence I can exert shall certainly be given to prevent it. I am, however, not altogether

without hope that more moderate and rational counsels may prevail, and you may rest satisfied that if apparently paying little heed to the course of events, I am very far from being idle or indifferent. But while saying so, it is impossible with the outside influences at work, to say what complications may arise, and I feel it to be my duty to urge on you, and through you on HER MAJESTY'S Imperial Government, the necessity of being prepared at the earliest possible moment to throw in a sufficient force to crush an insurrection, even at the present moment, formidable, and which before many months hence may become so strong, as, looking to the position and circumstances of the country to offer little hope of the possibility of putting it down. Should life and property be in imminent peril, and no recourse to British protection possible, I am inclined to think that with hardly a dissentient voice the law-abiding and substantial portion of the inhabitants would call on the United States Government to come to their aid, and the effect of such a requisition it is needless for me to point out.

* * * * * "

It is hardly possible that while I was writing in those terms to the Government of Canada I should at the same time have been working, as is alleged, with those who unfortunately at that time, were in insurrection against the Crown, or at all events were opposed to entering into the Canadian Confederation. Some time afterwards, for the purpose of saving the life of an officer, Major BOLTON, who had been condemned to death and to cause the return of the other persons held as prisoners, I undertook to go around into the settlements. At that time Mr. JAMES ROSS, called the Chief Justice, offered to accompany me. But on considering the matter he decided that it would be much better for the object of the mission that he should not do so. He wrote to me the following letter :—

Monday Morning, 20th Feb., 1870.

D. A. SMITH, Esq., Commissioner, &c.

DEAR SIR,—On further consideration I am satisfied that the mission projected for to-day will be much more successful if you alone undertake it. My course at the convention, which the people below highly disapproved of, as being too friendly to the French, would not only render valueless anything I might urge, but perhaps even help to intensify the feeling against Union. So satisfied am I of this, that in the public interest I must refrain from taking part in the mission.

I am, sir,
Yours faithfully,
(Signed) JAMES ROSS.

Now, if Mr. Ross considered that I was also favorable to them (the insurgents) at that time, it was hardly likely that he would have addressed me in those terms.

Mr. SCHULTZ—I desire to know whether at the time the people were in insurrection against the Provisional Government and under arms, the hon. gentleman did or did not advise at public meetings that they should submit to that Government, and strongly advised them in addition to send delegates to the convention which he proposed ?

Mr. SMITH—I did not advise the people to submit to the Provisional Government, if that is what the hon. member means to convey. In connection with this point I may say that the rev. gentleman who accompanied me, Archdeacon MCLEAN, now Bishop of Saskatchewan, at the trial of LEPINE, which took place last Autumn at Fort Garry, took occasion specially to point this out, and to say that on every occasion when speaking to the people throughout the settlement I impressed upon them that they were not under any circumstances to address RIEL, but to address in the shortest possible manner their notice of their choice of a delegate to Mr. BURN who really had been chosen by the Convention as the Secretary. Mr. BURN himself before the North-West Committee gave evidence to the same effect. More than that, on one occasion when at Heddingly, a petition was shown to me which it was proposed to present to the so-called President of the Government of Ruperts' Land. I told the person in whose possession it was it should not be presented, and thereupon it was torn up. I advised them simply to send their formal notices to Mr. BURN. What I did in going round the settlements is stated in my report. I may mention that at several of the parishes visited, I found that by the advice of the Bishop of Ruperts' Land and other clergymen who had been there, the people had already chosen their delegates. At the same time it must be remembered that while in Fort Garry I was virtually a prisoner, and was under strict guard, and during a certain length of time, I was not allowed to speak to any individual other than the guards. It was hardly likely that I, a prisoner, could be taking part with those persons who kept me a prisoner, and who were in insurrection. To show further I was acting in opposition to those who were in insurrection, I will read a letter, which is not of a private nature, received from His Grace the Archbishop of St. Boniface. It is dated 27th August, 1870, and is as follows :—

"I am told that special constables had "been sworn in the name of peace, for the "security and welfare of the country. I "humbly beg that these constables (as "well as the magistrates and Justices of "the Peace) will not be used except to "maintain the tranquility against *actual* "movements or disturbances, and that all "and every one will refuse to act in refer- "ence to anything previous to the arrival "of HER MAJESTY'S troops in Fort Garry. "I see a real danger in the gathering by "you of a number of the same men you "employed last winter; with the best "will in the world you cannot have a fair "idea of the disposition of the different "sections of the population." The men referred to were those called the "loyal French," and he was apprehensive that as those men had assisted me in getting up meetings throughout the country, and in enabling me to make the explanations which I was desired by the Canadian Government to make, that there would be danger of a collision, and the letter from the Archbishop, written early in September, was very much to the same effect. I desire now to read portions of one or two letters from Governor MACTAVISH of the Hudson's Bay Company. On the 9th November he wrote to Secretary SMITH of the Hudson's Bay House, London, as follows:—

"The position is undoubtedly serious and the "case will require very careful handling as any "collision between parties will lead to the plain "Indians being brought down on the settlement "next spring, as well as disturbances over all "the plain districts, which will not be put down "for years, long before which the whole business "of the country will have been destroyed."

On the same day GOVERNOR MACTAVISH further wrote to myself:

"I regret very much to have to inform you "that the Honorable WILLIAM MACDOUGALL "who had been warned by the Canadian half- "breeds of this settlement, not to come into the "Colony, on his arrival at Pembina, has been, "within the last week, driven out of the Com- "pany's establishment and forced to withdraw "within the American lines, by an armed party "of that same portion of our population. At "the same time that they sent to drive back "Mr. MACDOUGALL, a party was sent here to "occupy this establishment under the pretext of "protecting it, and though their protection was "declined they still remain, and it would appear "are determined to go to greater lengths than "they have yet done, as the nominal leaders "of the movement have invited delegates from "the other portions of the population to meet "them on the 16th instant to consider the condi "tion of the country as well as to express their "views as to the form of Government to be "adopted."

Again, on the 12th February, Governor MACTAVISH writes to Mr. SUNBURY SMITH:

"The outrages to which the Company's people "here have been exposed at the hands of RIEL "and his people are greater than you probably "would believe. His imprisonment of Dr. "COWAN and myself was doubtless meant to "intimidate opposition by holding us as host- "ages."

And again, on the 6th of April 1870, to the same gentleman:

"It is now fully three weeks since rumors first "reached me that the time had been fixed at "which in the event of non-compliance with the "terms to be proposed by RIEL, the Company's "people in Red River district were to be turned "out of their Forts, and all property, whether "personal to themselves or belonging to the "Company, confiscated. I feel that my com- "pliance with their demands on behalf of the "Company affords our only chance of avoiding "immediate inevitable destruction."

I have no desire to bring up these matters; I would much rather not have to do so, but these accusations have been brought forward, and I am obliged to clear myself and those who acted with me at the time. Besides this evidence there is a great deal more to the same effect I might give, but I will refrain from doing so. I might also refer to the discussions which took place in the convention held at Fort Garry, showing in an equally clear manner that there was anything but a friendly feeling towards the Hudson Bay Company on the part of those who were engaged in the insurrection. It will be seen that some of those men who acted with me at that time were in prison. These were some of the loyal French, as they were called, and I think this fact goes to show further than anything, that I did not conspire with those who were in arms against the Government of Canada. I have several letters here from officers of the Hudson's Bay Company, among them one from JOHN MACTAVISH and another from Mr. WM. LETT, written before HER MAJESTY'S troops reached Red River.

Mr. SCHULTZ—Is that the MACTAVISH mentioned in O'DONOGHUE'S petition?

Mr. SMITH—The same. This letter goes to show that the Company's officers did not take part in the insurrection. There was one matter brought up by the hon. member for Lisgar here the other day. He referred to documents belonging

to the Provisional Government having been thrown down a well on the hasty exit of RIEL and his party from Fort Garry, and that these were fished up and burned by order of the Company's officers —that is by myself. I gave a denial to this at the moment, but at the time I did not recollect all the circumstances which had transpired. I recollect that the hon. gentleman called on me at that time, as he was in the habit of doing, in a friendly way, and as this charge was made in the *Liberal*, which was conducted or owned in part by him, I explained the circumstances, and showed that instead of any letters belonging to the Provisional Government having been found, it was simply a chest belonging to an officer of the Company, Mr. WM. H. WATT, who was removing from one district of the country to the other, and who came in with the troops to Fort Garry, and this box was taken hold of in the confusion which then prevailed, his clothes and other things were made away with, and the box was thrown down the well. It was necessary to have the well cleared out to get water for the troops. A fire engine was used for the purpose, and while this was being done that box was fished, and Mr. WATT's papers being wet and perfectly useless he determined to have them destroyed. At the time I explained this to the hon. gentleman, he said he would publish my denial of the charge in his paper.

Mr. SCHULTZ—I did not on that occasion nor on any other occasion call upon the hon. gentleman in reference to this matter, nor was I at that time or any other time connected with the *Liberal* newspaper.

Mr. SMITH—I did not say the hon. gentleman called upon me for that purpose, but that he called upon me then, as he had often done in a friendly way, and this matter came up. He promised me, as I have said, to publish my denial, but the letter which I sent to him never appeared in the *Liberal*, and I subsequently learned that it was suppressed by his orders. In proof of this I may state that I telegraphed yesterday to the gentleman who edited the *Liberal* at the time, asking whether my letter about this matter was suppressed by Mr. SCHULTZ's order. To this I received the following reply to-day:—"Your letter of September 1870 to the editor of the *Liberal* denying the company's officers finding or destroying Provisional Government's documents, was suppressed by Mr. SCHULTZ, the proprietor, after being set up by me as editor. Your letter, which I retained, is mailed to you to-day." That telegram is dated to-day, April 2nd, and signed H. J. LAURIE. Now, I take this occasion to reiterate my most emphatic denial of the assertion made by the hon. member for Lisgar, that papers belonging to the Provisional Government were found by the Hudson's Bay Company's people or destroyed. I further state that I have repeated correctly the substance of what was said by the hon. member for Lisgar when he called on me.

Mr. SCHULTZ—The hon. member is wholly incorrect. He is under a misconception of what I said, even with regard to the burning of the papers. What I did state was that papers supposed to be State papers of the Provisional Government thrown into a well from which they were fished out, were destroyed by fire by officers of the Hudson's Bay Company. I did not state that the hon. member for Selkirk gave that order. I had no reason to believe then any more than I have to believe now, that he gave that order, but this I did say, and I now repeat—It is the general belief, as the hon. gentleman knows, that papers of the Provisional Government were so destroyed, and I believe that statement to be correct..

Mr. SMITH—Since that statement appeared in the *Liberal* in 1870, I never heard or repeated until I heard it made the other evening by the hon. member for Lisgar, and I adhere to what I have said with regard to the suppression of my letter, and my statement is fully substantiated by the telegram from Mr. LAURIE, which I have just read. The letter itself is now being forwarded to Ottawa. I regret that I have had to detain the House so long on a matter which I would much rather not have referred to at all. It will at once be seen that the mission on which I went at that time was a most delicate and difficult one. It was one of no ordinary difficulty, and I felt the great responsibility at the time. I felt that the part I had to act was that of a mediator, and I believe that was the desire of the Government at Ottawa. It was not to raise up strife and bad feeling, but to assure them

that they would be received into the Dominion on equitable, liberal terms, and to endeavor to keep the settlement quiet and peaceable until such time as the Canadian Government would be in a position to send a force into the country. This I endeavored to carry out. Not only would one rash or unguarded word have increased the difficulty, but even the pointing of a finger might on more than one occasion have been sufficient to put the whole country into a flame. The hon. member for Lisgar can well imagine what it would have been in such a country had the people once come in collision with each other. No one more than myself regrets what passed at that time in Manitoba. No one can deplore more than I do that one life should have been lost there, but I have often since returned thanks most fervently that it was not a thousand fold worse under the circumstances. I believe had a different course been pursued instead of us having to deplore the loss of three lives, we would have seen the destruction of hundreds, perhaps of a quarter or a half of the whole population. So that while what did happen was greatly to be deplored we have cause to be thankful that something very much worse did not happen. I wish to state further the opinion held by the then Government of the manner in which I discharged the duties that devolved upon me. [The hon. gentleman here read extracts from a letter dated in 1872, addressed to him by the Secretary of State for the Provinces, signifying the entire approval of the Government of the action he took as Commissioner to the North-West.] That letter was written, as I have observed, after the Government had had full opportunity of judging all the circumstances and finding out whether I really had acted loyally or not. I will go further on and show that I continued in the same spirit to give every assistance in my power to the troops, and I will read a letter to show what the commander of the forces, Col. WOLSELEY. [The hon. gentleman read an extract from a letter from a letter from Col. WOLSELEY in acknowledgement of the services rendered by himself and the officers of the Hudson Bay Company generally to the expedition under his (Col. WOLSELEY's) command in 1870.] These papers I should certainly be very backward in reading to the House had not the occasion, as I believed, required that I should show that the Hudson Bay Company and their officers throughout acted most loyally, from the very commencement of the insurrection till the authority of Canada was established in that country. It has been said that a person of the name of MULLIGAN, calling himself Sergeant MULLIGAN, a pensioner, had intimated to the officers of the company in advance that the Fort was to be seized. On that point I will read you the affidavit of Dr. COWAN, the officer then in immediate charge there for the Hudson Bay Company.

"WILLIAM COWAN, Chief Trader in the Hudson's Bay Company's service, at present resident in Scotland, on leave, maketh oath and saith :—That he the said WILLIAM COWAN was the officer in charge of the Red River District in the said company's service during the years 1867, 1868 and 1869. That said deponent was one of the Justices of the Peace for the District of Assiniboia, the district including the Red River Settlement. That during the summer of 1869, the news having reached the said settlement of the intended transfer of the Hudson Bay Company's Territory to Canada, meetings were reported to have been held by the French settlers for the purpose of discussing the said transfer, but so far as known to deponent, no serious trouble was apprehended in any quarter from these meetings. That about the end of August in the same year a party of surveyors arrived in the said settlement from Canada, authorized by the Canadian Government to proceed with a survey of the country. That on the 11th October, some time after the said survey had commenced, Colonel DENNIS, the gentleman in command of the said party, made before deponent a complaint that a section of the said survey proceeding behind a part of the French portion of the said settlement, had been stopped by a party of French settlers, headed by a man named LOUIS RIEL. That deponent, together with Mr. ROGER GOULET, one of the Justices of the Peace, resident in the French portion of the said settlement, had an interview with the said RIEL on the above complaint, at which interview deponent and the said Mr. GOULET, explained at length that the said survey could in no way affect the land, but to its advantage, and as consented to by te Hudson's Bay Company

was perfectly legal; but to no purpose, the said RIEL insisting substantially that the Canadian Government had no right to survey the land without the consent of the settlers, and maintaining that their opposition should be continued. That deponent had another interview on the above complaint with the said RIEL, in the presence of the late Governor MACTAVISH. That at this interview the said Governor MACTAVISH, although in a very weak state of body, took a most active part in endeavoring to convince the said RIEL of the mischievous and illegal course entered upon by the said RIEL and his party. That this interview appeared to have no more effect than the former. That it was then thought advisable by the said Governor MACTAVISH, and the other magistrates to let the matter rest for a time in the belief that these people would soon withdraw their opposition, the survey being accepted and approved of throughout the rest of the said settlement, and so far as deponent can remember, this was agreed to by the said Colonel DENNIS. That about this time it was known in the said settlements from statements in the Canadian newspapers, that the hon. WILLIAM MCDOUGALL had been appointed Lieut. Governor of the Territory, to take office subsequent to the transfer of the territory to Canada. That soon after it was known, through the same sources, that the said WILLIAM MCDOUGALL, with some other gentlemen appointed to offices under him, had left Canada on their way to the said settlement, and should arrive about the end of October. That, in consequence of this information, the said Governor MACTAVISH called a meeting of the Council of Assiniboia, which was held on the 19th October. That deponent being a member of the Council, was present at the said meeting, that the said Governor MACTAVISH being very unwell, and for the most part confined to bed, Judge BLACK presided at the meeting. That an address from the Council to be presented to the said WM. MCDOUGALL on his arrival, was cordially agreed to, and although a full meeting of Council, no member, so far as deponent can remember, expressed any fear about the said WM. MCDOUGALL'S entry into the settlement. That on the 22nd October an information was sworn before deponent by a man named WALTER HYMON, to the effect that a large party of armed French settlers were assembling at Riviere Sale on the road to Pembina, headed by LOUIS REIL, with the avowed purpose of turning back the said WM. MCDOUGALL and party at all hazards. That deponent laid this information before Governor MACTAVISH, who ordered the immediate calling of a Council. That this Council was held on the 25th October—that deponent was present at this Council—that the said Judge BLACK presided as at the previous Council, and for the same reason—that RIEL, the leader of the insurgents, was present at this meeting, introduced by one of the members of Council to explain the position of the insurgents and to hear the opinion of the Council. That after a lengthened discussion the said RIEL left for the purpose of communicating with the insurgents. promising that their answer to the Council would be given in on the 28th. That on the discussion of the question as to what action should be taken, it was the opinion of the Council that the well-affected settlers would not respond to any call on the part of the executive to assist in bringing in the said Mr. MCDOUGALL and party, members of the Council stating that they had made inquiries in their respective districts, and that the people refused to act either armed or unarmed, alleging, generally, that the Canadian Government had been preparing for a long time to assume the Government of the country, and should be able to do so without calling on one portion of the settlers to take up arms against another. That the Council having been informed that a good number of the more influential French settlers were against the movement of the insurgents, it was decided that two members of Council, Messrs. W. DEASE and ROGER GAULET should visit the camp at Rivière Salé taking with them as many of the well affected French settlers, unarmed, as they could collect, and there use every reasonable effort to get the insurgents to disperse. That the said Mr. W. DEASE proceeded to act upon this, but two or three days after, the said Governor MACTAVISH, having been informed that the said Mr. W. DEASE'S party had gone up to Rivière Salé armed, and that from the excited state of both parties the peace and safety of the whole settlement was endangered, recalled the authority of Council

given to the said Mr. W. DEASE. That a meeting of the Council of Assiniboia was held on the 30th October, at which deponent was present. That at this meeting a letter from the said Governor MACTAVISH to the said Mr. MCDOUGALL was read and approved of, conveying the opinion of the said Governor MACTAVISH, and of the Council, that the said Mr. MCDOUGALL should remain at Pembina, and await the issue of conciliatory negotiations in the hope of procuring a peaceable dispersion of the malcontents. That on the following day the views reached the settlement that the said Mr. MCDOUGALL and party had arrived at Pembina. That on the 1st November the report was circulated that the assembly at Rivière Salé was dispersing having appointed a party of forty men to proceed to Pembina to confer with the said Mr. MCDOUGALL. That on the following day, the 2nd November, the said RIEL entered Fort Garry with a party of 120 armed men, taking forcible possession of the establishment. That at the time these insurgents entered Fort Garry the said Governor MACTAVISH was confined to bed by serious illness. That deponent was then with the said Governor MACTAVISH in his bed room, and that the said insurgents were in possession of the Fort before their presence was known either to the said Governor MACTAVISH or to deponent. That deponent had in all about fifteen men, officers and servants in Fort Garry, engaged at the time in their usual avocations. That deponent received no information from any quarter of the intention of the said insurgents to enter Fort Garry. That deponent, although meeting daily with the best informed settlers, and the movements of the said insurgents being the constant subject of discussion, does not remember any statement, even by surmise, that the said insurgents would enter Fort Garry. That deponent has good authority for believing that the movement on Fort Garry was decided upon only a short time before the said insurgents started from Rivière Salé. That the said Governor MACTAVISH, both officially and personally, had great influence amongst the French settlers. That it is within deponent's knowledge that the said Governor MACTAVISH made use of this influence to the utmost of his ability to disperse the assembly at Rivière Salé, and to remove the opposition to the said Mr. MCDOUGALL's entrance into the country, and after the occupation of Fort Garry by the said insurgents, to procure the return of the said insurgents to their homes, and the restoration of order in the said settlement. That for some time after the entrance of the said insurgents into Fort Garry, provisions were issued to the said insurgents under protest, in the then reasonable expectation that tho endeavors of the said Governor MACTAVISH to procure the dispersion of the said insurgents would prove successful. That as soon as it was ascertained that these endeavors were frustrated, all provisions were refused to the said insurgents. That therefore the provision stores were broken open and all the provisions and other goods stored therein seized by the said insurgents. That deponent has seen an affidavit said to have been made by a man named JOHN FLETT, of the parish of Kildonan. That in the said affidavit it is stated by the said JOHN FLETT 'that during the fall of 1869 he was working in the vicinity of Fort Garry and slept occasionally at the house of his sister in same Fort, that on one occasion, just before the gathering of rebels at Stinking River to resist the entrance of the Hon. WILLIAM MCDOUGALL into the territory, in going out in the dusk of the evening he saw LOUIS RIEL and Chief Factor COWAN enter Fort Garry by the south gate, and, not wishing to be seen, he, the said JOHN FLETT, did enter the porch leading to the Hudson's Bay Company's store. That while in said porch the said RIEL and the said COWAN advanced and stopped about five yards from where he was. That he did distinctly hear this conversation which took place between the said COWAN and RIEL. That it appeared from the remarks he heard as the said COWAN and RIEL approached that said COWAN urged the said RIEL to go on with the proposed stopping of the Hon. WILLIAM MCDOUGALL at Stinking River. That said RIEL replied, 'What good will it do me? What will I get for it?' Said COWAN answered that Governor MACTAVISH would do as he had promised, and said COWAN also assured him, the said RIEL, that he would get what he had been promised. That said COWAN and RIEL then walked in the direction of said COWAN's residence. That said JOHN FLETT verily believes from the whole con-

versation that said COWAN, who was then in charge of Fort Garry, was inciting and encouraging the said RIEL by promises of payment to take active steps for the keeping out of the said Governor MCDOUGALL, which said RIEL seemed to hesitate about doing. That said JOHN FLETT did on several occasions see the said COWAN and RIEL in close conversation but could not hear what was said.' Deponent declares that the above statement made in the said affidavit by the said JOHN FLETT is untrue and without any foundation, in fact that before the interview on the above mentioned complaint of Colonel DENNIS, deponent met the said RIEL only once. That this meeting was in the summer or fall of 1868, that the said RIEL was then making enquiries in reference to a debt due by his deceased father to the Hudson's Bay Company. That from the first meeting with the said RIEL on the above mentioned complaint of Colonel DENNIS in the presence of Mr. R. GOULET, deponent had no communication with the said RIEL, but in the presence of third parties, and that deponent never spoke to the said RIEL but in the strongest terms of opposition to the course upon which the said RIEL and his followers had entered. That deponent has seen another affidavit said to have been made by Sergeant JAMES MULLIGAN, a pensioner of HER MAJESTY'S 17th Foot, and lately and for some time Chief of the Police Force in the Town of Winnipeg, understood by deponent to mean JAMES MULLIGAN, pensioner, and for some time one of the three constables stationed in the Town of Winnipeg. That the said affidavit contains the following statements: That hearing that the buildings of DR. SCHULTZ were threatened with a consequent danger of fire extending to the town, said JAMES MULLIGAN, then Chief of Police, proceeded at once to Fort Garry, and spoke to Chief Factor Dr. COWAN, who was a Justice of the Peace, and in charge of Fort Garry, told him what he, the said MULLIGAN, had heard, said MULLIGAN urged said COWAN to take steps to prevent such an outrage, and asked for instructions how to proceed. COWAN answered, what can we do? Said MULLIGAN replied that it would be advisable to call out the 300 special constables who had been engaged; said COWAN refused to do so, and said MULLIGAN returned to take what precautions he could with the two policemen under his charge; said MULLIGAN says that before the rebels assembled at Stinking River he gave due notice to said Justice COWAN, of their intention to do so, and that the said Justice COWAN seemed to take no notice of it. That repeatedly afterwards, up to the time of the Fort being occupied by RIEL and his men, the said MULLIGAN did urge upon the said COWAN the danger in which the Fort stood, and a short time before did inform the said COWAN that the rebels meditated doing so immediately, and again urged the said COWAN to call upon the said 300 special constables, but was in all cases distinctly refused. That he repeatedly warned Doctor COWAN of the rising and of the intention of the rebels to overthrow the Government and take Fort Garry, but that on all occasions he was rebuffed, and all his offers of services on behalf of himself and in the name of the loyal people who were willing to support the police authority, and anxious to keep down the rebellion were distinctly refused. Deponent declares that the above statements made in the affidavit of the said JAMES MULLIGAN are false. That deponent never received any information from the said JAMES MULLIGAN in reference to the movements of the said insurgents. That deponent never was urged by the said JAMES MULLIGAN to call out the 300 special constables. That deponent never heard of any offer of service made to the executive from any quarter, excepting the offer made by Sergeant-Major POWER some time after Fort Garry was in possession of the said insurgents.

(Signed,) WILLIAM COWAN.

Sworn before me this first day of September, 1871.

(Signed,) HUNTER FINLAY, J. P.,
Glasgow, Scotland."

Mr. SCHULTZ—Is that the Dr. COWAN who a person named JOHN FLETT swears was in conference with RIEL with respect to the delivering up to RIEL of Fort Garry?

Mr. D. A. SMITH—This is the same Dr. COWAN that was in charge of the Fort, and he made an affidavit to the effect that that statement is utterly untrue, and he also, I believe, gave the same testimony before the North-West Committee. I have also here a deposition of Governor MACTAVISH and Judge BLACK to the same

effect, in which they declare that there is no truth in the allegation made by MULLIGAN, and I have again to express my great regret at having been under the necessity of bringing up these matters before the House; but I felt that these accusations against the Hudson Bay Company were made not because those who got them up believed them, but for the purpose of making this country believe what they themselves did not credit.

Mr. SCHULTZ—It is said that the wicked flee when no man pursueth. We have been occupied for the last fifty-five minutes in listening to the rebuttal or attempt of rebuttal of a charge which has not been made in this House, nor in any way that calls for contradiction by the hon. gentleman. However, I am very glad that the explanation has been made, because it will serve to show to any one who listened attentively to it that there is no relevancy whatever in any of the documents which he has read to the charge said to be made by W. B. O'DONOGHUE, saving the first one read by the hon. gentleman. It would be noticed that that document was written by himself to the Government of the day after his return to Manitoba in 1870. He simply quotes himself in the House to contradict the assertion said to have been made by Mr. O'DONOGHUE. I do not think the explanation was called for in the first place, and if it were called for I do not see that the hon. gentleman has shown us anything outside of his own statement to controvert the statements made by W. B. O'DONOGHUE. We have simply the statement of Mr. O'DONOGHUE on one side and of the hon. gentleman on the other. I am not going to express any opinion as to which of these gentlemen is correct. I willing concede to the hon. gentleman what he states in regard to the difficulties connected with his mission in 1870. I know that his mission was one which called for at least an ordinary degree of courage and competency, and I know also that it was particularly unfortunate that the hon. gentleman should have allowed himself to be chosen for a mission of that sort, the duties which he was so incompetent to perform. He must know as well as I do that on two occasions which I will presently specify, opportunities offered to him of at once breaking the power of the Provisional Government.

Mr. SPEAKER—I must call the hon. gentleman to order. He is making an attack upon the hon. member for Selkirk which is against the rule. If the hon. gentleman has any explanation to offer with regard to himself the House I am sure will indulge him, but he has certainly no right to attack the hon. member for Selkirk.

Mr. SCHULTZ—I do not wish to make an attack upon the hon. gentleman. It will be in the recollection of the House that the hon. gentleman adverted to me several times and I was simply going on to make an explanation of my own conduct on that occasion. I was proceeding to say that I believed there were two occasions offered to the hon. gentleman on which, had he acted promptly, he might have at once ended the rule of the Provisional Government. The first of these occasions was when the hon. gentleman arrived at Fort Garry, and when he found there was a considerable dissatisfaction among the more intelligent of RIEL'S followers who felt that they had gone a little too far in the matter and they were beginning to fear the possible consequences of their action. There was then a favorable opportunity at the important meeting called by the hon. member for Selkirk, at Fort Garry. At that meeting nearly 500 persons assembled, most of them, I believe, armed. At that meeting when the QUEEN'S letter was read, and also the documents with which the hon. gentleman was entrusted, so strong did the feeling become that there was a general wish expressed that the hon. gentleman would allow them to put a summary stop to the insurection then going on. They said "say the word and we will raise the British flag where it has been torn down, and release the prisoners." Had this opportunity been acted upon, the hon. gentleman might have been able to make a different report from that which he has read to us to-night. The opportunity was not acted upon. It is not for me to say what reason the hon. gentleman had for not acting upon it. I am not disposed to believe with Mr. O'DONOGHUE that at that particular juncture the hon. gentleman had anything to do in connection with the Provisional Government. I am more disposed to attribute his conduct to an equal mix-

ture of cowardice and incompetency. The other occasion to which I shall make reference was some time after that. It was when THOMAS SCOTT and a number of others had come from Portage la Prairie to join the force of which I was a member in the lower part of the settlement. It was an occasion when between five and six hundred armed men assembled, and when the demonstration made by them had induced Mr. RIEL to see the necessity of releasing the rest of the prisoners kept by him. On that occasion there was a disposition on the part of that force to go on at once and assert the authority of the Canadian Government, and drive out Mr. RIEL and raise the British flag. It was due to the efforts of the hon. member for Selkirk, aided I am sorry to say by a portion of the clergy of Red River, that that force was induced not to make the contemplated attack upon Fort Garry, on the plea that having forced Mr. RIEL to release the prisoners, it was not necessary to do anything further. These men proposed to take possession of the Lower Fort Garry and raise the British flag there. Why was that plan, so easy of accomplishment, not carried out? I will tell you why. It was because the hon. gentleman, aided by the Archdeacon to whom he has referred, came down to the place where the people had assembled for the purpose of taking the preliminary steps in the direction of that attack, and begged them not to take that step, and strongly advised them not only to submit to the Provisional Government, but to send delegates to the Convention which elected Mr. LOUIS RIEL as President. If that was the part for a competent and courageous delegate from Canada to play, then I have nothing more to say. I do not wish to say too much on this matter; I may feel too warmly upon it. I will merely add that it would have been better had the hon. gentleman tried in some way to repudiate directly the accusations said to have been made by W. B. O'DONOGHUE, besides simply giving his own statement to the House.

Mr. D. A. SMITH—The hon. member for Lisgar has been pleased to speak of me as having acted in a cowardly manner, and he has given his version of a meeting that took place at Upper Fort Garry. In doing so I am sorry to say that he has entirely mis-stated what occurred at that time. He has said that at that meeting there were some five hundred men who were willing and prepared to raise the British flag. The facts of the case are really these:—When about to commence the proceedings of that meeting I urged the Chairman and those on the platform to raise the British flag. They said "no, it is impossible for us to do so now but we shall do so afterwards." They did not raise the British flag then and the opportunity did not occur again. At that first meeting two loyal men were sent into the adjoining building for some papers and when they returned they said that building was full of armed men and that they were prepared for any emergency or for any attack that might be made. There was not one man at that meeting at upper Fort Garry that proposed to raise the British flag at that time except as I have already stated, and I feel confident that had it been attempted it would have resulted not only in bloodshed but in the loss of life and would have involved the whole settlement in civil war. The hon. gentleman says that on another occasion I went down to the lower part of the settlement with Archdeacon MCLEAN and advised those who were assembled there to disperse. Such is not the case. At that second meeting composed principally of English people with some English half-breeds from the lower settlement, the hon. member for Lisgar, I believe, was one of the principal leaders, and we could never find out why the hon. gentleman really did not come to Fort Garry on that occasion, except on the supposition that he thought it more prudent and safer to go back. Being at the time strictly guarded within Fort Garry, I was not then in a position to give any advice.

Mr. SCHULTZ—I will explain at once why the force of which I was an humble member—not the leader—did not go to Fort Garry. That force took possession of a church, school house and manse and encamped for the night. At daylight the next morning they sent a messenger to Mr. RIEL telling him that if he did not release all the prisoners in his charge he would at once be attacked. Within an hour the prisoners were released, and the question then came up as to whether to go on and attack Fort Garry or not. While a large number were willing after having accomplished the principal object for

which they assembled, namely, the release of the prisoners, to go on and attack Fort Garry and drive RIEL out, many others said, "no, we will not pull a trigger for the sake of saving the Hudson Bay Company's rum and pemican which RIEL and his men are destroying." That is the reason why that force did not go to Fort Garry.

Mr. D. A. SMITH—Then how is it that the hon. gentleman said it was on account of the action taken by me that they were prevented from attacking the Fort?

Mr. SCHULTZ—I did not say so. I said you came to Kildonan where the people were assembled.

Hon. Mr. MACKENZIE—I think we have had enough of this irregular discussion. The member for Selkirk saw fit to make a statement concerning a letter purporting to be signed by some one of the name of O'DONOGHUE, whom the hon. gentleman opposite seems to know all about. While it was quite proper for the House to hear that statement it is entirely irregular to have a discussion upon it.

Mr. SCHULTZ—I would like to know from the hon. Premier what words I used which indicated that I knew anything more about O'DONOGHUE than he did. The Premier has made that statement and I would like an answer. I am afraid it is like other reckless statements he has taken occasion to make in this House.

Mr. SPEAKER—The whole discussion has been irregular.

Mr. D. A. SMITH—I wish to say that I did not interfere with that meeting, was not present at it, but, as already stated, at the time a prisoner within Fort Garry.

Hon. Mr. HOLTON—I think there is one hon. gentleman we should hear before this discussion closes, and that is my right hon. friend from Kingston, with respect to the decided conflict of statement that there is between his present supporter, the hon. member for Lisgar, and his official envoy representing his Government during the troublous period of 1869-70 in the North-West. Of course the right hon. gentleman is responsible for the acts of the hon. member for Selkirk while acting as his envoy.

Mr. JONES (Leeds)—I rise to a point of order. The SPEAKER has decided that this discussion is irregular.

Hon. Mr. HOLTON—I am speaking to the question of adjournment.

Sir JOHN A. MACDONALD—Who moved the adjournment?

Mr. SPEAKER—The First Minister moved the adjournment, but it was not seconded.

Hon. Mr. HOLTON—Then I second the motion. I think this discussion having gone on so long it should not close without some light being thrown upon this subject by the right hon. gentleman, who of all members of this House is in a position to elucidate this whole matter.

Sir JOHN A. MACDONALD—I do not know what my hon. friend wants me to say. I only heard the fag-end of the speech of the member for Selkirk, and therefore I could not at all follow the reply of the member for Lisgar.

Hon. Mr. HOLTON—The hon. member for Lisgar charged the right hon. gentleman's envoy with treason, or something approaching to it, to the British flag while representing the Government of my friend the member for Kingston in the North-West. I think, therefore, it is the duty of my right hon. friend to say whether in his judgment, he being master of all the facts, the hon. member for Lisgar is, as the representative of his Government fairly open to the imputation cast upon him by my right hon. friend's present supporter, the member for Lisgar.

Mr. SCHULTZ—I would like to correct my hon. friend from Chateaugay as to my being a supporter of the right hon. member for Kingston. If I understand the meaning of supporter it is one who votes with his party through thick and thin, as I may say my hon. friend from Chateaugay does. If the hon. gentleman will look over the records he will find that the majority of my votes were given for the Government, and it is only on a policy which I think calculated to ruin the prospects of Manitoba. the North-West that I oppose them. The hon. gentleman should be more correct in his statements when he attempts to speak of the position of another member.

Hon. Mr. MACKENZIE—The hon. gentleman called my attention a moment ago to my saying that he seemed to know all about Mr. O'DONOGHUE. I supposed he did from his speech. I can only say that I did not intend to impute anything whatever to the hon. gentleman except a

too intimate knowledge of the facts which he was controverting. I had no intention to impute to him anything disreputable in connection with his knowledge of Mr. O'DONOUGHUE.

The subject then dropped.

Hon. Mr. TUPPER said he hoped the motion for adjournment would now be withdrawn and they would be allowed to proceed with the Orders of the Day.

THE ANNUAL SUBSIDY TO MANITOBA.

Mr. BOWELL complained that while the Government had continued the sittings of the House until two and three a. m., to advance their own measures, they had sought to adjourn the House at an early hour when private members sought to press their motions. He desired to ask the hon. First Minister whether the facts contained in the published report purporting to be a summary of the speech of the Lieutenant Governor of Manitoba was correct, in which the following occurred :—"The income of the Province being wholly inadequate, negotiations with the Privy Council are in progress to place Manitoba on a better footing. As a result, the Privy Council have adopted a Minute of Council, providing for an increase of the annual subsidy until 1881, to the sum of one hundred thousand dollars." If the report was correct, he desired to to inquire whether it was the intention of the Government to lay the Minute of Council on the table of the House, and ask the approval of Parliament thereto.

Hon. Mr. MACKENZIE in reply said that no arrangement could be made except under the Act of last session, which enabled the Government to advance money to those Provinces who had not drawn the full quota of their subsidies, when of course they would cease to obtain the 5 per cent. interest on the balance. There were considerable balances due to Nova Scotia and Manitoba. The Government could not, without application to Parliament, increase the amount of subsidy to any of the Provinces.

MERCHANT SHIPPING ACT.

Hon. Mr. MITCHELL desired to read a letter addressed to the hon. member for Cumberland by one of the large colonial shipping firms in relation to the Merchant Shipping Bills before the Imperial Parliament. The letter was as follows :—

"Liverpool, 18th March, 1875.

"Hon: CHARLES TUPPER,

"Ottawa,

"MY DEAR SIR,

"I take the liberty of addressing you on the subject of the Merchant Shipping Bill now before Parliament which no doubt has come under your notice before this, and I trust your Government have taken some action to avert the passing of the Bill which would be a death-blow to the colonies. For the details I must refer you to the two Bills, viz., Sir CHARLES ADDERLAY'S and Mr. PLIMSOLL'S, both of them as bad as they can well be, and if by chance they become law, British shipping will be totally annihilated. The shipping trade of the Dominion will be ruined as completely as possible. I believe your Government have the power to stop the passing of either Bill if you take immediate action. Our Government are afraid of offending Canada, and will do a good deal to keep her quiet. Therefore the louder the noise the better chance we have of escape. The two Bills have been sent to Mr. PALMER. Kindly peruse them and you will see the blockheads we have in this country to manage affairs.....

"I remain, Dear Sir,

"Yours truly,

"JAMES R. DEWART."

He was informed that the Government were taking the necessary steps in regard to this question, and he read the letter only to show the necessity of such action being taken as would prevent Canadian shipping being legislated upon by the British Parliament without the advice or approval of the people of Canada.

The motion for adjournment was then carried, and the House adjourned at 11:30 p. m.

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HOUSE OF COMMONS.

Saturday, 3rd April, 1875.

The SPEAKER took the chair at three o'clock.

CORRECTION.

Mr. SPEAKER—Before the Orders of the Day are called I wish to direct the attention of the House to a matter of some importance. A Bill was sent down from the Senate with certain amendments which were concurred in by this House. At that time the hon. member for Hamilton drew attention to the fact that a certain amendment which he told us had been adopted in the Senate did not appear among the amendments sent down to us.

The Clerk of the Senate has since informed the Clerk of this House that such an amendment did pass and that the omission of it was unintentional, and he has since written the amendment upon the margin of the paper containing the amendments. He concluded by citing from May the rule on the subject.

Hon. Mr. MACKENZIE—If I understand the fact it is that the body of the of the Bill is not changed, but only the title.

Mr. SPEAKER—It is an unimportant change, but it is establishing a precedent.

Sir JOHN A. MACDONALD—I think it is clear that we should have a message from the other House asking for the correction, and a memorandum to that effect could then go upon our journals. Because it is absolutely necessary that there should be no chance of a clause slipping into a Bill which is not authorized by both Houses.

Hon. Mr. MACKENZIE agreed that a message should be sent from the Upper House with the Bill and the amendments as really adopted by that House.

The subject then dropped.

THE SUPPLY BILL.

Hon. Mr. CARTWRIGHT moved the second reading of Bill for granting to HER MAJESTY certain sums of money required for defraying certain expenses of the Public Service for the financial years ending respectively 30th June, 1875, and the 30th June, 1876, and for other purposes relating to the Public Service.—Carried.

PACIFIC RAILWAY CONTRACTS.

Hon. Mr. MACKENZIE laid on the table two contracts, one for No. 13, being the distance from Fort William to Shebandowan, of the Pacific Railway, and the other No. 14 from Cross Lake to Red River. These contracts had only been signed to-day, and it would be impossible to do anything upon these sections, unless the approval of the House was got at present. The information that he could give the House respecting them was simply this, both contracts were those of SIFTON & WARD, the one for Number 13 amounting to $406,194, that being the lowest tender but one. One tender from New Brunswick was lower, but the tenderer declined to proceed. The length of this section was forty-five miles. The other contract was for $402,950. It was the third lowest tender. The other two declined to proceed. The tenders were made on the printed form, already laid upon the table in another case. The House was already very thin, and would be still thinner on Monday, and he therefore moved "That the House do now ratify the contracts laid on the table, proposed to be entered into with SIFTON & WARD for the construction of that portion of the Pacific Railway between Cross Lake and Red River, about 77 miles in length, at a cost of $402,950, the said parties having been the lowest tenderers willing to proceed with the work, and furnishing the required security."

Mr. PALMER asked how much of the work these contracts provided for.

Hon. Mr. MACKENZIE—For the grading, bridging, and practically preparing the road for the road-bed, but they did not include rails, ballasting and ties. The first contract is for about forty-five miles, and the other 77 miles, and the price is nearly $5,500 per mile.

The motion was carried.

Mr. MACKENZIE then moved that the House do now ratify the contract now upon the table proposed to be entered into with Messrs. SIFTON & WARD, for the construction of that portion of the Pacific Railway extending from Fort William to Shebandowan, a distance of about 45 miles, at a cost of $406,194, the said parties having been the lowest tenderers willing to proceed with the work, and furnishing the required security.

Hon. Mr. TUPPER said of course he could object to this motion on the ground of want of notice, but he did not wish to take that course. At the same time he could not allow this motion to pass without moving an amendment, and taking the sense of the House upon it. The objection he had to the motion was substantially this, it was either intended to make this a portion of the Canadian Pacific Railway or it was not. As he had stated before, the First Minister led the House to suppose that the Canadian Pacific Railway was to run from Nipegon to Red River, and the hon. member for South Qruce admitted that he so understood the Premier. This was what the hon. gentleman said :—"I "quite admit that it was a general belief

"on the part of members with reference "to one detail of this policy to which the "hon. gentleman has alluded, that Nipe- "gon would be taken as the Lake Su- "perior terminus." The hon. gentleman could only have supposed that from the statement of the First Minister.

Hon. Mr. BLAKE—Will the hon. gentleman read the rest of what I said?

Hon. Mr. TUPPER—I will. "Not "that the Government committed them- "selves, as I recollect the assertions made "upon the point." The First Minister had not yet stated that it was his intention to make this line from Thunder Bay a portion of the trunk line, because if that were his intention it would involve the building of sixty miles of additional railway, and the making of the trunk line sixty miles longer. A proposition so monstrous as that could hardly be contemplated, and that was the reason why the First Minister had never stated that he intended to make this a part of the trunk line. He would read what the hon. member for South Bruce had said on the occasion he referred to:—"As I recollect the discussions, it was left to be decided upon by subsequent surveys, but there was certainly in my own mind, and, I belive, in the minds of others, an impression that it was more likely that Nipegon would be taken as the Lake Superior terminus." The hon. gentleman had been very careful to guard himself against stating that the line from Thunder Bay was to be a portion of the main line. The Government, therefore, had let these contracts without any authority in law to do so. This was either to be their trunk line or a branch. If it was a branch, Mr. FLEMING's map showed the distance to be 150 miles from Thunder Bay to the main line. But assuming it was only one-half of that, and the hon. First Minister had admitted himself that it would be seventy miles—that would involve an expenditure at the lowest calculation of $2,800,000. Therefore if this line was not to be a part of the maine line, the contract now before the House involved the expeneiture of that enormous sum of money without any authority for it in the Statute Book. And as he said before, if it was to be part of the maine line it involved the construction of sixty miles additional railway. The law only provided for two branches—one from Georgian Bay to a point south and east of Lake Nipegon, and the other from Pembina to Fort Garry—so that there was no authority for the building of the Thunder Bay line, if it was to be regarded as a branch. He therefore proposed the following resolution in amendment, seconded by Sir JOHN MACDONALD, "that the said contract be not approved."

Mr. SPEAKER—That is hardly an amendment. It is a direct negative.

Mr. PLUMB—Is the Mr. SIFTON mentioned in that contract the partner of Mr. GLASS of the Telegraph Company, who is surety for the contractor for the telegraph line.

Hon. Mr. MACKENZIE—I think he is.

Hon. Mr. TUPPER moved in amendment "that the consideration of the approval of said contract be postponed to this day three months."

Hon. Mr. MACKENZIE said he had a few remarks to offer in reply to the hon. member for Cumberland, who thought that the line should be commenced at Nippissing and continue westward. The reason why the Government did not adopt that policy was simply that their object was to obtain the shortest and best summer route to the North-West country in the meantime. If they had gone to Nipegon a line between that point and Cross Lake would have been to construct, over a distance of 320 miles, with no water navigation available between those two points; but by the construction of 45 miles of lines of railway to Lake Shebandowan they obtained the advantage of that chain of water communication for a distance of 246 miles after some slight improvements were carried out at Fort Francis which were provided for in the Estimates. By these a means of communication would be established which would suffice for some years to come, and it would be obtained some years before the line proposed from Nipegon could be constructed. The plan adopted by the Government was approved by all who were acquainted with the country, and consulted the map, and especially by the Chief Engineer, their object being simply to obtain access to the country as soon as possible. He was somewhat amused the other day to find the principle organ of the Opposition declaiming against the Government selecting Thunder Bay as their terminus and imputing im-

proper motives to him in making the selection, and that he desired to serve personal or political friends, thus enhancing the value of their property—in fact doing everything but what was in the public interest. How was it that last year when the Government proposed to begin at Nipegon that organ wrote as follows :—

"With such a concurrence of testimony in favor of Thunder Bay as the terminus, how comes it to pass that it is deemed necessary to petition Parliament, and to make the most pressing representations to the Government, in order to prevent the suitable terminus of Nipegon Bay being selected? In the absence of unreasonable explanations, it need not be surprising that people should say that Mr. MACKENZIE and a number of political friends have strong personal interests to serve in the Nipegon country, and that such private interests are likely to overide all considerations of public benefit."

But no matter what place had been selected for the terminus, the same kind of argument would be repeated, for it comprised almost the entire stock in trade of the Opposition.

Hon. Mr. TUPPER regretted that he had not been so successful in convincing the hon. Minister of Public Works as he had been with the newspaper editor referred to, who had not been ashamed to frankly acknowledge that his previous information was incorrect, and that he should advocate to-day a different policy from what he did a year ago. If the policy of the Government would accomplish what was anticipated, viz., provide at once a short, and easy and cheap line of communication through that country, even from Thunder Bay to Red River, he would not object to it. The Hon. First Minister had, however, stated that two and a half years would be occupied in constructing the line as proposed, and that the journey from Thunder Bay to the Red River by that road would take four or five days. Inasmuch as there would be an all-rail route from Duluth, even when the Government line was built and the large sum expended, it would not secure any passengers, because they would go by the Duluth route; whereas, if the route proposed by him (Mr. TUPPER) was adopted, and even a longer time was occupied in constructing the road, it would be a permanent work, and being a shorter route, could successfully compete with the Northern Pacific.

The amendment was lost on division.

Mr. SCHULTZ asked for information why the contract from Cross Lake to Rat Portage had not been completed. Tenders for that section had been asked for some time ago.

Hon. Mr. MACKENZIE said his reason for not letting the contract was this : tenders had been received for this section, a distance of 37 miles, but the amounts were so enormous compared with his expectations, that he did not feel justified in accepting any tender that had been offered. He proposed having a review made of that 37 miles of the route, and he would ask the assent of the House to enter into a contract if a change for the better could be effected. The House would have some idea of the difficulty he experienced with this section when he informed them that the difference between the highest and the lowest tenders was $2,000,000.

The motion was carried.

Hon. Mr. MACKENZIE moved that the Government be authorized to enter into a contract during the recess with the parties sending in the lowest available tender for the construction of that portion of the Pacific Railway extending from Rat Portage to Cross Lake a distance of about 37 miles.

Hon. Mr. TUPPER said that while he was prepared to give his hearty concurrence to this motion, he would just say that the statement made by the Premier afforded one of the most apt and forcible illustrations of the unwisdom of undertaking to let contracts without any such survey as would put contractors in a position to know anything like the amount of work required to be performed.

Hon. Mr. MACKENZIE said it so happened that a most elaborate survey had been made of this section. It would be impossible to have a more careful survey, a closer examination or a more careful calculation than had been made on these 37 miles. There had been no such survey on the Intercolonial.

Hon. Mr. TUPPER said that made his statement all the stronger. If with such a careful survey, contractors differed to such an extent on a section 37 miles in

length, hon. members could imagine how mild must be their calculations where there was no survey and no calculation.

Hon. Mr. MACKENZIE said the hon. gentleman was never at a loss to make contradictory statements tally.

Hon. Mr. POPE wished to know what the word "available" in the motion meant.

Hon. Mr. MACKENZIE—Whoever, from the lowest going upwards, enters into the necessary requirement by giving security, has the lowest available tender. The lowest will have it in all cases if he can furnish the security required.

The motion was carried.

NORTH WEST TROUBLES.

Mr. SMITH (Selkirk) asked the indulgence of the House to make a personal explanation with regard to the accusations made against him by the hon. member for Lisgar of acting in what certainly must be considered a very improper manner in the position in which he was placed at Fort Garry. That hon. gentleman had stated that at a mass meeting a request was made that the British flag should be hoisted—that he (Mr. SMITH) had declined to do so. That statement was the reverse of the fact. It was he (Mr. SMITH) who made that request at the meeting, and that fact was well known he believed by every one in Manitoba. In proof of this he might state that this matter was brought before his constituents by the hon. member for Lisgar, and there and then refuted, it having been proved that there was no foundation whatever for the hon. gentleman's charge. The hon. gentleman had asserted that the difficulties at Red River would have been got rid of but for his (Mr. SMITH's) cowardice and incapacity. It was true he (Mr. SMITH) went round to the different parishes to keep peace and quietness in the settlement and to save the life of one of the prisoners and insure the safety of the lives of others, but that was done simply with the view of impressing on the people the necessity of uniting together for the purpose of bringing the country into the Dominion, and of assuring Canada that they were ready at any moment to enter the Confederation, The hon. gentleman's statement was therefore wholly incorrect. The clergy of the country, seeing the necessity of keeping peace, had advised their parishioners to elect delegates, and half of them he believed were elected before he had an opportunity of seeing them. It was well known that in the autumn, Colonel DENNIS for a short time endeavored with a number of other persons to oppose the rebellion, but could make no head against it; and yet the hon. gentleman would have the committee imagine that the insurrection was a mere nothing. Everyone else in the Red River country knew that it was a most formidable combination for what those people believed to be a good purpose, namely, that of asserting and holding their rights. He hoped that as the hon. member for Lisgar knew that such were the circumstances of the case, he would not fail in his duty to the House to withdraw the expressions he used last night. The hon. member was well aware that a few months' afterwards he came to him (Mr. SMITH) and was quite desirous, indeed anxious that he (Mr. SMITH) should be returned as a member for the county he now represented.

Mr. SCHULTZ denied that he had ever so expressed himself.

Mr. SMITH said the hon. member had been willing to do so for certain considerations. The hon. member was quite ready, as he expressed it, to bury the hatchet as between the Hudson's Bay Company and himself, and that the hon. member and himself (Mr. SMITH) should for the future go hand in hand. If that hon. gentleman believed he was a poltroon and recreant to his QUEEN and country, would he wish to have it supposed that he, (Mr. SCHULTZ), a loyal man, came forward and desired to assist him in his election. The hon. member had never come forward from the time of election meetings, and made the assertions which he had made before the House. The hon. member well knew that such statements would not be believed in the North-West; but it was generally thought in that country where the hon. member was best known that the hon. member was capable of making almost any assertion.

Mr. SPEAKER called the hon. member to order and requested him to withdraw his last expression.

Mr. SMITH withdrew the remark. When he went to the North-West as Commissioner from Canada, (he continued) he did not go there for payment. To the credit of the late Government he said

that they would have paid him liberally, but he would not accept, and did not accept a single dollar of the public money for his own use. As the House well knew, the insurrection had been a God send to the hon. member for Lisgar, he having had nothing at the time it arose, while he was now a comparatively rich man at the cost of the country.

Mr. SPEAKER called the hon. member to order, remarking that it was improper to make a personal attack on another hon. member when offering a personal explanation.

Mr. SMITH withdrew the expression and said he would content himself by saying that the hon member for Lisgar was now a rich man. While he did not question the propriety of the decision given by the commission in respect to the claim of that hon. member, but if there was one thing one thing more than another that had given dissatisfaction throughout the North-West, it was the large amount awarded to the hon. member for Lisgar, while other persons who had suffered severely had received a pittance.

The CHAIRMAN called the hon. member to order, and said that the House had nothing to do with the amount awarded to the hon. member for Lisgar.

Some discussion took place on the point of order, and the SPEAKER finally said that the hon. gentleman could proceed with any personal explanations which he had to make.

Sir JOHN MACDONALD said it was quite evident that the time was being made a waste of time until six o'clock, in order to prevent motions being made.

Mr. D. A. SMITH said he had no desire to prevent any motions being made. He was proceeding to refer to certain invoices made by a certain gentleman, when

Mr. SPEAKER said he must call the hon. member to order, as he was plainly invading the rules of the House. If the hon. gentleman had any personal explanations to make, he could do so; but he must not attack any other hon. member.

Mr. SCHULTZ said he would confine himself to the subjects referred to by the hon. member for Selkirk. The first subject was the reference he had made last night to the occasion when after the release of the prisoners it was proposed to raise the British flag and take Fort Garry. What he stated last night, and what he was prepared to say before a commission, if the Government would consent to appoint one, as he thought they should investigate the whole cause of the insurrection, was that the hon. member for Selkirk had lost the opportunity for nipping the rebellion in the bud. That gentleman knew that a proposition to raise the British flag was made, and had he seized upon that opportunity the rebellion would have been stopped at that point before any property had been destroyed and blood shed. He had expressed last night as he did now his regret that the hon. gentleman had not seen fit to take that course, With regard to the other occasion to which he had referred, what he stated last night was that a force of which he was a member, threatened an attack upon Fort Garry, and succeeded in securing the liberation of the prisoners. They then raised the question whether they would not march to Fort Garry and put an end to the Provisional Government and restore authority, and the hon. member for Selkirk prevented that action from being taken. The hon. gentleman came to the general meeting of those who were desirous of securing this end, and who with arms in their hands had it in their power to accomplish it; and deliberately advised in his (Mr. SCHULTZ's) presence those men not to take that action, but to submit to the rule of the Provisional Government, acknowledged RIEL as the dictator of the settlement, and send delegates to the Convention which he proposed to be held.

Mr. SMITH—I ask the hon. gentleman to state when and where that meeting took place at which I was present.

Mr. SCHULTZ—It was held in the school house of the Parish of St. Andrews in the spring of the year 1870.

Mr. SMITH—I would ask the hon. gentleman if I was present at that meeting.

Mr. SCHULTZ—You were.

Mr. SMITH—Then, Mr. SPEAKER, I say most positively that I was not at any meeting where any such proposition was made. I was in the house of the Rector of St. Andrews, but I was not any meeting in St. Andrews where such a proposition was made. It was, I believed, at St.

Andrews that delegates to the Convention were elected before he arrived.

Mr. SCHULTZ repeated that the hon. gentleman was present. Moreover, the chairman of the meeting, addressing the meeting, stated on behalf of the hon. gentleman, and I believe also of Arch-deacon McLEAN that they both strongly wished the people to submit to the Provisional Government and elect delegates to the convention, on that occasion he (Mr. SCHULTZ) combatted that view. He said, "By the demonstration of this force you have shown you have the power to take Fort Garry whenever you choose; you have compelled RIEL to release the prisoners and the same force will restore British authority." He used that argument, but unfortunately for him and those who had lately been in arms with him; unfortunately for the Red River settlement and the whole country that proposition was voted down through the action which the hon. gentleman took when he, coming with the authority he did, advised the people to submit; they felt they would not be acting lawfully in attacking Fort Garry. The hon. gentleman is primarily responsible for the loss of that favorable opportunity, and certain clergymen were secondarily responsible. When he (Mr. SCHULTZ) found that the last hope of resistance was gone, he a few days afterwards left the country. What was the remote consequences of the advice of the hon. gentleman? Had the action which he (Mr. SCHULTZ) advised at that meeting been taken, he believed RIEL would have left Fort Garry without firing a shot; he had afterwards sources of information which led him to that belief. The cost of the expedition under Col. WOLSELEY would have been saved; the life of THOMAS SCOTT would have been saved, and the agitation and bad feeling created throughout the country would have been averted. That was why he said last night that he regretted his failure to seize those two opportunities which he had to put down the insurrection. With regard to the accusation made against him by the hon. gentleman that he had offered to work with him politically in Manitoba on the occasion of his first election, he would ask leave to say one word. The hon. gentleman said he had offered for a consideration to bury the hatchet, meaning by that in plain English that if that gentleman or the Hudson's Bay Company gave him so much money he would join with that body in the political objects which it was evident it had in view. Now he did not know how far the rules of the House would allow him to make a contradiction to that statement. He was aware that any strong expression of contradiction was out of order, and that being the case he would simply content himself with making the most positive contradiction of both those statements made by the hon. gentleman. In regard to the statement made against him that he was a very rich man in consequence of having received a certain amount of money as indemnity for losses from the Canadian Government, he had simply to say that the hon. gentleman not having been at Red River before the spring of 1870, could not have possibly known of the business carried on by him for nearly ten years previous to that time. It is safe to assume that without that knowledge, his statement that he knew, as a matter of fact, that many of the invoices which he (Mr. SCHULTZ) presented were false, was not worthy of the slightest credence. Now, he would refer the hon. gentleman to the report of the special committee appointed to investigate this claim. The members of that committee, who were favorable to the Hudson's Bay Company, took exception to the amount claimed by him (Mr. SCHULTZ). After investigating the matter, this committee, consisting of hon. gentlemen on both sides of the House, reported entirely in his favor, and that report was adopted by the House without a dissenting voice. He was quite willing at any time to enter into a discussion of the whole matter of the insurrection of 1869-70, but he knew it was a threadbare subject in this House.

Mr. D. A. SMITH said the hon. member for Lisgar had stated that at a public meeting in the Parish of St. Andrews, at which he was present, he gave expression to his views with regard to what ought to done in this position of affairs. He (Mr. SMITH) had tried to impress on the people that they ought not to go to Fort Garry or the Lower Fort, but on the contrary they ought to be peacable and go in with RIEL. He stated most emphatically that to the best of his (Mr. SMITH'S) knowledge and belief he never saw the hon. gentleman all the while he was at Fort Garry, or heard

him give expression to one word. He believed that he never saw the hon. gentleman's face. If he had he would have recollected his countenance, and the hon. gentleman's statement was entirely without foundation in fact or truth. With regard to the other matters which the hon, gentleman alluded to, he (Mr. SMITH) did not think it was necessary that he should say anything further, and if it were not unparliamentary, he would throw back on the hon. gentleman the imputation of cowardice which was cast upon him.

The Bill to make further provision respecting the constituting and management of Building Societies in the Province of Quebec was discharged.

THE PLIMSOLL BILL.

Mr. PALMER asked whether any, or what measures have been taken by the Government, in view of the Imperial Legislation affecting Canadian ships, and the rights and liabilities of Canadian shipowners, to prevent Imperial Legislation on that subject, without the consent of the Parliament of Canada; and if so, what are the results of such measures?

Hon. Mr. SMITH—I may say to the hon. member that no decided step has yet been taken, but it is the intention of the Government to send a carefully prepared remonstrance against any legislation in the Imperial Parliament affecting shipping in this Dominion. It is our intention at once to make communication with the Imperial Government by cable on the subject.

THE MILITIA.

Mr. CARON asked whether it is the intention of the Government to allow Volunteer Companies to fill up to 55 men and 3 officers as formerly, instead of 42 non-commissioned officers and men per Company and 2 commissioned officers as at present; and whether men are to be paid according to rank?

Hon. Mr. VAIL—The Active Militia liable to be called out under law numbers about 45,000. It is very desirable that enrollment to that extent should be kept up. The number that will be called out this year depends altogether on the means at the disposal of the Government. The amount voted will enable us to call out only 28,000 men, which is equal to 42 men and two officers for each company. While in camp, officers are paid according to their rank, but while at home and drilling in drill sheds, they will all be paid alike about one dollar per head.

THE CANADIAN PACIFIC RAILROAD TELEGRAPH.

Mr. SCHULTZ asked whether Messrs. GLASS, SEFTON & Co., Telegraph Contractors have not completed twenty-three miles of Telegraph Line under their contract, and whether the Canadian Pacific Railway or any branch thereof has been located along or near the said line?

Hon. Mr. MACKENZIE—I do not know how many miles they have completed. I do not think that we have any exact information on the subject and I cannot answer the question.

SALE OF ORDNANCE LANDS.

Mr. CUTHBERT asked whether it is the intention of the Government to alienate the Ordnance Lands at Sorel otherwise than by sale at auction?

Hon. Mr. LAIRD—The Government have not yet decided how to dispose of the Ordnance Lands at Sorel. The policy of the Government with regard to the Ordnance Lands is to sell them by auction.

NATURALIZATION OF ALIENS.

Mr. YOUNG moved "That the House go into Committee of the Whole, on Monday, to consider the following resolutions:—

"That this House was pleased to learn from the despatch of the Secretary of State for the Colonies, of date the 3rd September, 1873, that HER MAJESTY received very graciously the Address of this House passed in the same year on the subject of the Naturalization of Aliens, and begs respectfully to represent as follows:—

"1st. That the extension of the Act passed in the 33rd year of HER MAJESTY'S reign entitled 'The Naturalization Act of 1870,' would not meet the just expectations of the Germans and and other naturalized foreigners in Canada inasmuch as the passports granted under the said Act, although permanent, are expressly declared to be invalid in the Foreign State of which the persons naturalized were formerly subjects—the place of all others in which they desired to be protected in their acquired rights and privileges.

"2nd. That by the Naturalization Act of 1870, aforesaid, it is provided that Great Britain will thereafter recognize and protect in any part of the world all persons legally naturalized as British subjects, provided they cease by the laws of their native State to be subjects thereof on changing their allegiance, or when a Treaty has been made between Great Britain and the said State to that effect.

"3rd. That such a Treaty was negotiated between Great Britain and the United States of America in the year of Our Lord 1871, and a further and supplemental Treaty in the following year 1872, both of which are working satisfactorily.

"4th. That a Treaty similar in character was negotiated between the United States of America and Germany, in the year of Our Lord 1868, and is now in operation.

"5th. That it would promote the public interests and afford much satisfaction to HER MAJESTY'S naturalized German subjects in Canada, if a Treaty under the provisions of the Naturalization Act of 1870, aforesaid, were entered into between Great Britain and the German States, so that such persons naturalized in Canada, after a residence therein of from three to five years (as may be agreed upon by the contracting Powers) may become entitled to all the rights, privileges and immunities of British subjects in any part of the world, and in as full a measure as if they had been subjects of Great Britain by birth.

"6th. That an humble Address be presented to HER MAJESTY setting forth the foregoing resolutions."

The motion was adopted.

The House adjourned at six o'clock.

HOUSE OF COMMONS,

Monday, April 5th, 1875.

The SPEAKER took the chair at three o'clock.

A QUESTION OF PRIVILEGE.

Right Hon. Sir JOHN MACDONALD called the attention of the House to a paragraph which had appeared in a Ministerial newspaper charging him with lobbying Bills in the Upper House. He had a perfect right to do so if he liked, and it was a matter of impertinence to refer to it at all, but as a matter of fact he had had no communication with any of the Senators on the questions they were discussing. It so happened the other evening, while the House was engaged in a very unprofitable debate on the Prohibitory Liquor Law, he went to the Upper House to listen to the discussion there, but he had no conversation with any member of the Senate with respect to any motion or other matter before the Senate.

Hon. Mr. MACKENZIE was quite sure no person could object to an hon. gentleman going to lobby in the Upper House if he thought fit to do so. For his (Mr. MACKENZIE'S) part, he had never done so. It was no charge after all.

THE PUBLIC REPORTS.

Hon. Mr. TUPPER asked when the report of the Marine and Fisheries' Department would be laid on the table. A great deal of credit was taken by members supporting the Government this year for the remarkably early day on which they had laid the reports of the departments on the table, and so far as the Premier's and one or two other departments were concerned, they deserved that credit; but he was afraid that the praise would have to be balanced by the blame that was due to the Minister of Marine and Fisheries for allowing the House to rise without furnishing it with the report of one of the most important departments of the service. He was not quite certain as to the law, but as far as he could recollect it was obligatory on each Minister to have the report of his department on the table within fifteen days from the commencement of the session.

Hon. Mr. SMITH said that all the law required him to submit to the House had been submitted within the fifteen days. The report of his department was ready two or three weeks before the House met, and in the hands of the printers, but he had been unable to get it published. He thought in the course of a few days the whole of the remaining part of the report would be issued. The printer was the party really to blame for the delay.

Mr. BOWELL said the same complain applied as regards the report of the Post Office Department. It was now about the end of the session, and the report had not yet been laid upon the table. The statistics furnished in that report would have been exceedingly valuable to the House, before discussing the important measure introduced by the Postmaster General.

Hon. Mr. MACKENZIE said the report had been ready some weeks before the House met, but the contractor was so crowded with work that it was found impossible to get it under way at the time, and the Postmaster General proposed to send it to another office. That he (Mr. MACKENZIE) declined to accede

to, knowing that the contractor was entitled to the printing of all the blue-books of the year, and he requested the Postmaster General to endeavor to push it through the contractor's office as speedily as possible. If the Postmaster General had taken it to another office, the report would have been brought before the House before now, and it was in order to keep faith with the contractor that the delay occurred. As regards the Marine and Fisheries' Department, in order to expedite the work he directed the report proper to be sent to one office, and the appendices to another. The difficulty was very great where the facilities for printing were so limited.

Mr. BOWELL said he observed from the imprint on Bills that a large number of them had been printed by the *Free Press* office, and by Mr. TAYLOR, while Messrs. McLEAN, ROGERS & Co. had the contract for the Parliamentary printing.

Hon. Mr. MACKENZIE said the Government were not bound to wait for any contractor for Bills to be presented to Parliament.

Mr. BOWELL said his remarks also applied to the printing of the departmental reports.

The subject then dropped.

GOVERNMENT LANDS IN THE NORTH-WEST.

Mr. ARCHIBALD hoped the House would permit him to ask a question, although no notice had been given, namely, whether any steps had been taken to prevent speculations in land on the line of the Pacific Railway in the Province of Manitoba and the North-West, and also whether the Hudson Bay Company had any lands along the route of the railway.

Hon. Mr. MACKENZIE—The only steps the Government have taken in connection with the Government lands is to pass an Order in Council prohibiting the sale or pre-emption of any lands on the line of the railway until the Government have time to consider the question of the final disposal of those lands in connection with the contracts; and that Order in Council embraces the entire route from Rat Portage westward to Fort Pelly. The Government thought it desirable that a very careful examination of the country should be had in the first place in order to ascertain where a town might be located, or where lands might be advantageously reserved, and to take such measures as would effectually prevent any land speculators from taking advantage of the location of the railway to the detriment of the public. With respect to the latter question, my hon. friend will find from the language of the treaty with the Hudson Bay Company that they have one-twentieth of the land reserved to them, and that they are entitled in the Saskatchewan country to choose land on the north side in preference to the south side in certain places that they desire it. We have considered the position they occupy relative to the Government with their lands. It is impossible that we can interfere with the rights they have under the agreement made and sanctioned by Parliament, but the Government have been considering and will consider further during the recess whether it is not desirable in these quarters, at least, to endeavor to extinguish the rights of the company to any of the lands.

Mr. PLUMB was glad to hear from the hon. the First Minister that the Government proposed to withdraw their land from sale, and that a full examination had been made. He hoped that when such examination had been completed the land would be put up for competition of which ample notice would be given—so that every one would have an opportunity of competing for the lands.

Hon. Mr. MITCHELL asked for explanations of the expressions of the hon. the Premier in regard to extinguishing the claims of the Hudson Bay Company to the North-West lands.

Hon. Mr. MACKENZIE—We cannot of course force the land from the company; but I have already taken the ground that it is extremely inconvenient to have a company the proprietors of a very large extent of land in the North-West, and if Parliament could make an arrangement for Canada to become the sole proprietors of the soil in that country, it would be of advantage. The question was one for Parliament to consider.

Sir JOHN MACDONALD said that while on the one hand, great dissatisfaction had been expressed at companies owning immense tracts of country, as was seen in the case of the Canada Land Company; on the other hand, it should be remembered that the Hudson's Bay Company,

were a powerful body in England with large political influence and might become Emigration Agents for the settlement of the country.

Hon. Mr. MACKENZIE said that all those points would have to be considered by the Government, but the tendency of public opinion in Canada was wholly against land companies controlling very large portions of the public domain. He thought at the time the arrangement was negotiated with the Hudson's Bay Company, as he thought now, that it was not desirable that such a state of affairs should exist. It would be for the Government to consider whether any such advantage as the right hon. member for Kingston had suggested would be likely to accrue from the company owning large tracts of land in the North-West, and the Government would consider the propriety of submitting a measure dealing with the subject to Parliament at its next session.

Sir JOHN MACDONALD asked for explanations as to the arrangement with the Hudson's Bay Company in regard to the taxation of land.

Hon. Mr. MACKENZIE said the company were liable to taxation after they had taken possession of the land. The Government must first survey the land, and then the company must take them up, after which the land become subject to taxation, but only to such taxation as was imposed on lands owned by other proprietors.

Mr. D. A. SMITH remarked that one of the provisions of the deed of surrender expressly set forth that the Hudson's Bay Company's land should not be liable to any exceptional taxation.

The question then dropped.

CRIMINAL LAW AMENDMENT ACT.

On motion of Mr. IRVING, the order for the second reading of the Bill to repeal an Act to amend the Criminal Law relating to violence threats and molestation, was discharged.

ENQUIRIES CONCERNING PUBLIC MATTERS.

On motion of Hon. Mr. MACKENZIE, the Bill touching the true construction of the Act respecting enquiries concerning public matters was discharged.

NATURALIZATION OF ALIENS.

On motion of Mr. YOUNG, the House went into Committee of the Whole to consider the resolutions (of which notice was given on Saturday) on which to found an address to HER MAJESTY on the subject of the Naturalization of Aliens; Mr. GILLIES in the chair.

Mr. YOUNG said: Mr. Chairman, It will be remembered that I have on several occasions brought before this House the state of our naturalization laws and pointed out the desirability of some amendment being made with respect to them, and some progress has been made in that direction. I do not, therefore, propose this afternoon, as there is a feeling manifested that the House should adjourn at an early hour, to do more than state very briefly the present position of the matter and the action which I desire by these resolutions the House to adopt. It will be remembered that in 1873, two years ago, the House unanimously passed an address, founded upon resolutions which I brought forward, the prayer of which address to HER MAJESTY was principally, that Great Britain would negotiate a treaty with the German States by which persons naturalized in Canada, who owed allegiance first to the German States, would thereafter be recognized as British subjects in any part of the world. We received a reply from the Colonial Secretary, then Earl KIMBERLEY, which was laid before the House last session, and it embodied a letter sent by Earl GRANVILLE to the Colonial office, expressing the views which were entertained by the British Government with regard to the address. There is a serious want of information on the part of the public generally with respect to this question. I, therefore, may say that the Germans and other persons naturalized under our laws, while they are protected in their rights as British subjects so long as they remain in our territory, the moment they pass beyond the boundaries of the Dominion they cease any longer to have any rights whatever as British subjects. The result is they are placed in a very awkward and unsatisfactory position. It is difficult to say to whom, under such circumstances, they owe allegiance, whether to Great Britain or to Germany, and if they travel in a foreign country they have not the protection of any Government, being subject to the disabilities of a divided allegiance. Then again, if they return to their native State—I

speak more particularly of the Germans who form a numerous body of our population, and many of whom have settled in the county which I represent—after having been naturalised in Canada, for twenty years, they may be called upon to perform military service or other duties as German subjects. They, therefore, feel that their position is a very unsatisfactory one, and there is a strong desire on their part that something should be done to place them in a more favorable position. Moreover, the Germans who settle in the United States, and thereafter become naturalized, are recognized as American subjects in any part of the world; they are protected in their rights as American citizens wherever they go, and this circumstance largely contributes to turn the stream of German emigration to the United States. There is no better class of immigrants than the Germans, who are of industrious and thrifty habits, and so long as they can go direct to the United States and, having become naturalized, be protected in their rights as American citizens in every part of the world, whilst if they come to Canada they are only protected in their rights as British subjects so long as they remain within our borders, we cannot expect to receive such a large flow of German emigration as we would receive if the Naturalization Laws of the Dominion were as liberal as those of the United States. I desire that the most efficient measures shall be adopted to attract as many of the people of Europe as possible to our shores. Within the last ten years our position with respect to the United States has relatively very much improved. There is no part of this continent which has been more prosperous during the last ten years, than Canada, and I wish to have our Naturalization Laws placed in such a position that emigrants from Europe will be attracted to come here and make the Dominion their abode, and give their help to develop our great national resources. The Government of Great Britain has always been loath to surrender the principle, once a subject always a subject. They have held to this principle with the greatest tenacity—with a tenacity which is characteristic of the British people; but in the Naturalization Law passed by the Imperial Parliament in 1870, they have to some extent waived that principle, and this is the first step that has been taken for very many years in the direction of liberalizing their legislation on this subject. In the law of 1870 it is provided that any person becoming naturalized in Great Britain will thereafter be protected in their rights as British subjects as if they had been born on British soil within the United Kingdom of Great Britain and Ireland. But they added something further. They decided to give a permanent passport to persons who had become so naturalized. Under the present law, so far as the Dominion is concerned, passports are only given for one year and a sufficient time afterwards to enable persons naturalized to reach the nearest British port. Under the Act of 1870, it has been decided to give permanent passports to all persons naturalized within the bounds of the United Kingdom, but this exception is put on the passport, that it should not be valid in the State to which the person naturalized formerly owed allegiance. This is a very important exception—an exception which in fact many of those naturalized think of more importance than the benefits which the Act confers. Only in certain contingencies, in case the State to which the aliens formerly owed allegianae, has passed laws by which they can demand themselves of their allegiance, will the Mother Country recognize them as British subjects in every sense of the term; and also in case a treaty should be negotiated with the country to which they owed allegiance, to that effect. Here, there were two ways in which persons naturalized might become British subjects to all intents and purposes. I will read an extract from a letter of Earl GRANVILLE to the Colonial Office in respect to the address which I moved, and which was passed in the session of 1873, relating to this point:—

"An alien naturalized in the United Kingdom, under the Act of 1870, receives a passport, not limited as to time, but available for any time, or for any number of journeys; but with the qualification mentioned in the 7th clause of the Act, which is endorsed on the passport as follows:—This passport is granted with the qualification that the bearer shall not, when within the limits of the foreign State of which he was a subject previous to obtaining his certificate of naturalization, be deemed to be a British subject, unless he has ceased to be a subject of that State in pursuance of the laws thereof or in pursuance of a treaty to that effect."

Now, it is quite apparent there are two

ways suggested in that Act by which persons naturalized can become possessed of rights and privileges such as native born subjects enjoy, and these are either by the foreign State passing an Act to enable them to throw aside their allegiance, or by a treaty with the State from which they come to that effect. In accordance with these provisions, the address passed by the House in 1873 prayed that a Naturalization Treaty might be entered into between Great Britain and Germany. Such a treaty was negotiated in 1871 between Great Britain and the United States, and the following year, 1872, a further supplementary treaty was agreed to between the two countries. The effect of these treaties is, that an American can become a British subject with the greatest ease, and thereafter be entitled to all the rights and privileges of a British subject, and a British subject going to the United States can become in a similar way a subject of that country. The whole process is so simple and easily understood that there is no danger of any complications arising between the two countries in regard to the matter. I therefore propose that what has been done so successfully in the case of Great Britain and the United States shall be done between Great Britain and Germany, in order that the large number of Germans who have already and may hereafter become naturalized in this country may not hereafter suffer the disabilities of a divided allegiance, but be protected in their rights and privileges like every other subject of Great Britain.

Mr. IRVNG—Has the hon. gentleman considered what are the relations between the United States and Germany in matters of this kind, and what treaty has been made between these two powers because it appears to me that the difficulty that is likely to arise is not by the Imperial Government of Great Britain intervening to make a treaty, but rather by the German Empire declining to make a treaty. Probably my hon. friend will be good enough to inform us what the position of affairs is in this respect at the present time.

Mr. YOUNG—I, of course, looked into that point as well, and I found that the coast—if I may be allowed to use that expression—is perfectly clear in that direction, for a treaty was negotiated between the United States and Germany to the same effect.

Mr. IRVING—When ?

Mr. YOUNG—My resolutions state when. It was in 1868, I think, that this treaty was negotiated between Germany and the United States, and it is now in existence. Both these treaties, so far as I am aware—that is, the treaty between Great Britain and the United States and that between Germany and the United States—have worked well. No difficulties have arisen on this subject, and, therefore, I cannot possibly see any serious difficulty in the way of negotiating a similar treaty between Great Britain and Germany.

Mr. IRVING.—I am rather under the impression there has been something more recent, and that the present condition of affairs is not satisfactory to Germans in the United States ; that in fact they are not released from military service on their return to their native country by becoming citizens of the United States. I have seen some general remarks in the newspapers within a year or two on this subject. Perhaps the hon. member for South Waterloo will be able to state explicitly what that treaty is ?

Mr. YOUNG—Some difficulties may, of course, have arisen. We know sometimes difficulties do arise under treaties of any nature. When the address from this House went to the Mother Country, it was received very graciously by HER MAJESTY, and Earl GRANVILLE stated in his letter to the Colonial Office that he was prepared to extend the Imperial Act of 1870 to the colonies. The principal objection which Earl GRANVILLE raises to a Treaty is, that the German Government would insist on five years residence, in the country of naturalization. Now, with regard to his proposition to extend the Imperial Act to the Colonies, I am of opinion that it would not meet the case. Under our present law a person going abroad, who has been an alien, is enabled to get a passport for one year, when, of course, his passport ceases. Under the Imperial Act of 1870, he would be enabled to get a passport permanently, but with the proviso already referred on to the back of it, that he would possess no rights or privileges of a British subject in the State to which he formerly belonged. This is a very great reservation indeed. I believe

that the Germans throughout the Dominion would not consider it any boon or at most a very trifling one, if that Act were extended to the colonies. It would place them in a very little better position than they are already. I took the precaution to consult with some leading Germans in the West on this subject, and they said distinctly that it would not by any means meet the object they have in view. Their object would only be accomplished by their being placed in as good a position as Germans in the United States—viz: making them British subjects to all intents and purposes. Earl GRANVILLE raises the following objections to this course :—

"If, however, treaties were to be negotiated, "in which a fixed period of residence in the "country of naturalization (and five years would "almost certainly be insisted upon) were to be "made, the condition on which the naturaliza- "tion would be recognized, aliens, naturalized "in the Colonies would lose the benefit of the "present elastic rule of practice, and would be "liable to be challenged to prove that they had "complied with this condition before they could "claim any benefit from their British natural- "ization."

With regard to the first objection, you will see that it is not very serious. It is urged in the interests, apparently of the persons to be naturalized, and not from the standpoint that the Imperial Government had any objections to such a treaty. He says, in case a treaty were to be negotiated with Germany, it would require a five years residence of its former subjects naturalized in this country. At the present time they have to reside here three years before they can become naturalized. I have no hesitation in saying, you would scarcely find a single person in this country who would not rather wait five years before becoming naturalized, provided when that was done, he became a British subject and was recognized as such thereafter in all parts of the world to which he might go. I am quite sure there would be no difference of opinion on that point. Then again, Earl GRANVILLE urges that they would be deprived of the benefit of the present elastic rule of practice. I have examined this objection and I really cannot see the point of it. It is difficult to say what is meant by the words "present elastic rule of practice." If it is simply what is stated in the words that follow—that they would be liable to be challenged to prove that they had complied with the condition of five years' residence in Canada, I answer they would have to do that now under the law as it exists, the only difference being that the present term of residence is three years. Therefore, their position would be no worse in that respect than it is at the present time. In fact, I consider this no objection at all, and I feel sure, speaking the opinion as I believe I do of a very considerable portion of our German population, they would be quite willing that these conditions referred to by Earl GRANVILLE should be embraced in the treaty, and would be glad to accept it on these terms if such a treaty could be obtained. Since the last address was moved a new Government has come into power in England and it is quite possible, as we know new brooms sweep clean, that they may take even a more liberal view of this matter than the late Liberal Government. It is at all events worth trying. When I look at the attractions offered to the Germans in the United States in consequence of their naturalization laws being more favorable to them than ours, I think it is my duty to propose another Address to HER MAJESTY which will indicate that we are ready to accept the conditions referred to by Earl GRANVILLE, provided we can obtain such a treaty as will secure the great and important objects had in view. I believe the House will adopt these resolutions unanimously as they did the former Address when the hon. member for Kingston was in power. In proposing them, I am not asking the committee to do anything contrary to what is contemplated by the present Imperial Act on Naturalization, nothing contrary to what has already been done between Great Britain and the United States, and nothing, in my opinion, contrary to the welfare and honor of the Empire and its colonies.

Right Hon. Sir JOHN MACDONALD —The object of the hon. member is most praiseworthy, if it is only to set at ease the minds of the German settlers in this country. As he has said they are a most valuable acquisition to our population, their civilization, and the education disseminated among them make them a most valuable class of immigrants and, therefore, no steps should be left unattempted to increase their numbers and to satisfy them when they are here. The difficulty, however, is very great. We all know

that in consequence of the general proscription that has taken place in the new German Empire, and especially in the Prussian States that the population is being rapidly depleted, and every attempt is made to throw obstacles in the way of their departure, and to retain what must be their main strength in the struggle that seems to be impending in Europe. I have no very sanguine hope, that if this address is adopted, as I fully expect it will be, as I can see no objection to it, that HER MAJESTY'S Government, no matter how it may be disposed, will be able to obtain a treaty with the Germans of the character asked for. However, there is no harm in trying. I think it is due to the Germans in this country to endeavor to satisfy their wishes and to show that everything we can do, we have done for the purpose of preventing their relatives in the country they have left from being annoyed or being interfered with in any way in consequence of their coming to this country, and not returning to do military duty in their native land. I presume my hon. friend at the head of the Government has seen that there is nothing in these resolutions contrary to the state of the law in the land. I have not, myself, looked into the exact position of the subject as it exists between Germany and England. I have not followed up the subject for a year or two, and do not know whether any new negotiations have been going on, and presume that the hon. gentleman is correct in what he has stated, that the Minister has seen that these resolutions do not in any way conflict with the present state of the law, and are not inconsistent with themselves. I see not only no objection, but think it is a very praisworthy attempt and I believe the resolutions should be adopted by the House.

Mr. PLUMB—It is well known that the great accession to the population of the United States has been due very greatly to the facilities that have been given to emigration to that country and to the easy naturalization laws by which they become part of the community. It may not be known to the House that no attempt was made to protect emigrants who had acquired the right of citizenship in the United States for a great many years, in fact not until a very recent period. I think one of the very first occasions upon which the attention of the Government was called to the automaton condition in which these emigrants were placed in regard to the allegiance they owed to their Mother Country was in the case of one MARTIN KOSTER who was arrested for acts committed by him against the laws of Austria. The Secretary of State entered into a correspondence with the Austrian Government which resulted in attention being called to the peculiar position of such emigrants. That position became still more apparent when the Mayor of a city in Iowa went to his native land to engage some railway hands, and was held their to discharge military service. That brought up an investigation which resulted in a treaty being made between the American Government and the Prussian Government. I suppose that no matter what kind of laws may be passed by the Mother Country it will be necessary to make special treaties having reference to the peculiarities affecting emigrants to this country. In regard to the Menonites, I believe they would be held liable to military service by the laws of Russia in case they found it necessary to return to the land of their birth, unless the Government of England should enter into special negotiations in reference to this people in order to protect them. I am very glad this subject has been brought up here, and I consider the thanks of the House are due to the hon. member for South Waterloo for the manner in which he has laid the matter before us. I trust the question will be brought before the British Government and in such a way as to result in negotiations for a treaty to protect those who come from the European States to settle in this country.

Hon. Mr. MACKENZIE — I have looked into this matter since the hon. member introduced his resolutions, and at the same time have endeavored to ascertain whether any correspondence took place with the Imperial Government subsequent to that alluded to. There is nothing at all in these resolutions but a statement of facts and a statement of what would probably suit the requirements of those adopted citizens of ours in Canada. The object is undoubtedly a good one, and if Germany is willing to make a treaty with the United States in this matter, I have no doubt she would be equally willing to enter into a treaty with Great Britain. If this can be ob-

tained by the passage of these resolutions, I am sure we will all be gratified to do anything we can to forward them. There is nothing in them to which the Government does not cheerfully agree. It is quite possible that some feeling, such as that exhibited the year before last to the two Ontario Emigration Agents, may still exist, and cause some difficulty in the way of getting this treaty. Preparations seem to be made on a very extensive scale for possible complications again with some of the Powers of Europe, but we hope that will not interfere with the negotiating of a treaty such as has been referred to. There are a great many Germans in England as well as in Canada.

Mr. YOUNG—It is barely possible that the feeling against encouraging emigration from Germany may interfere with the negotiation of a treaty at the present time. Still, I am sure the existence of such a treaty would not interfere with the intention of any one to leave Germany. At any rate it is our duty to make an attempt to have such a treaty negotiated. It is according to precedents which have worked well, and I have no doubt that if such a treaty was made between Great Britain and Germany it would be found to work satisfactorily, and would probably relieve both nations from some embarrassing questions that might arise. The hon. member for Niagara has alluded to the facts of these resolutions applying only to Germans and not to aliens of other nations.

Mr. PLUMB explained that he alluded to aliens in general, including Russians.

Mr. YOUNG—I feel it would be rather too much to ask Great Britain to negotiate treaties with all the nations, some of whose inhabitants may come to Canada; but the Germans constitute a very large portion of our population, and therefore, I think we may fairly ask the Imperial Government to negotiate a treaty with Germany. I would point out to the right hon. member for Kingston, that there is no fresh ground taken in the resolutions for the Address, further than we assure the Imperial Government that the objections stated by Earl GRANVILLE would not be considered very serious here, and that we are heartily willing to accept a treaty even with the conditions referred to. The present Government in England may not see their way to undertake the negotiation of the desired treaty; if so, we have at least done our duty to one of the most deserving classes of the citizens of this country.

The committee reported the resolutions, after which a Select Committee, consisting of Messrs. SCATCHERD, ARCHIBALD, GILLIES, BOWELL and YOUNG, present the draft of an Address to HER MAJESTY, founded on the resolutions, which was ordered to be engrossed. An Address to HIS EXCELLENCY the GOVERNOR GENERAL, praying him to lay the Address to HER MAJESTY at the foot of the Throne, was also adopted.

SUPPLY.

On motion of Hon. Mr. CARTWRIGHT the Supply Bill was read the third time and passed.

Hon. Mr. MACKENZIE moved the adjournment of the House.

The House adjourned at 5 p. m.

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HOUSE OF COMMONS,

Tuesday April 6th, 1875.

The SPEAKER took the chair at three o'clock.

WAY OFFICES.

Hon. Mr. TUPPER asked the Postmaster General what the policy of the Government was with regard to Way Offices. He understood that they did not intend to establish any more such offices except where it was necessary to have Post Offices. In Nova Scotia there were a great many Way Offices in sparsely settled parts of the country.

Hon. D. A. MACDONALD replied that it was found very difficult to manage the Way Offices in New Brunswick and Nova Scotia, and it was the intention of the Government not to do away with them but to establish no new ones. When Prince Edward Island came into the Union, the Way Offices in that Province were done away with altogether by his predecessor. The Department was making the Way Offices in New Brunswick and Nova Scotia, Post Offices as fast as possible. This policy had been adopted during the last six months, and did not involve any increased cost. The

Department was working them in as rapidly as possible without at all diminishing the number of offices, and consequently without subjecting the public to any inconvenience thereby.

Hon. Mr. TUPPER said he was afraid that to establish Post Offices instead of Way Offices, would have entailed a much heavier expenditure of the public money.

Hon. D. A. MACDONALD assured the hon. member for Cumberland that the change would be carried out in such a manner as not to annoy the people of those Provinces.

Mr. SCHULTZ hoped the Government would allow two motions that stood in his name, to be passed without discussion, in order that the returns asked for might be submitted to the House at as early a date as possible. The first of those motions was for a return of receipts from the sale of land in Manitoba, from 1st January to 31st December, 1874.

Hon. Mr. MACKENZIE said that if the motion was adopted the hon. member could not expect to receive the returns this session; and when it was prepared it would be simply to put away in a pigeonhole. No usefnl purpose would be served by moving the motion.

Mr. SCHULTZ remarked that it was generally thought that the Senate would occupy another week in its deliberations, and as the return would be a brief one, he thought it might possibly be brought down.

Hon. Mr. MACKENZIE in reply stated that the returns already asked for would occupy more than a week in their preparation, and they would take precedence over that moved by the hon. member for Lisgar.

Mr. SCHULTZ said the second motion which he desired the Government to allow to be passed was for a return of papers connected with the trial of AMBROSE LEPINE. A considerable portion of the papers had already been published, and with a slight addition would afford a valuable historical record of the events connected with the North-West; and as matters connected with the insurrection there had occupied considerable attention in the House during the last few days, it was desirable that the whole of the papers should be printed, especially as important evidence would be derived from the documents of the LEPINE trial which would bear out certain statements he was called upon to make in connection with that insurrection.

Hon. Mr. MACKENZIE said that the documents were embraced in the last rereturn, which had not, however, yet been printed.

Mr. SCHULTZ said all the papers with the exception of one or two were there.

Hon. Mr. MACKENZIE said that if the hon. member wonld inform him what papers he desired added to the return, perhaps he could arrange for the addition to be made.

Mr. SCHULTZ thanked the hon., the Premier, for that intimation.

NOTICES OF MOTION.

Sir JOHN MACDONALD desired to take that opportunity of giving notice that at the next session he would feel it his duty to insist on the Rules of the House being strictly carried into force, and that when the Orders of the Day were called the several items should either be moved or dropped. The practice of allowing motions to stand over from day to day was a very inconvenient one. He would also give notice that he would move next session, as had been done in England last session, that no new business should be taken up after 12.30 p. m. While the hon., the Premier, in the Imperial Parliament had declined to accept a motion to that effect, he stated that as a general rule the Government would meet the wishes of the House, and it would be understood that new business should be introduced after that hour.

DUTY ON TEA.

Hon. Mr. TUPPER said he had observed in a newspaper that a deputation had waited on the hon. the Minister of Finance regarding the question of tea and coffee duties. He would be gratified if the hon. the Minister would state to the House the answer he gave to the deputation, as it had been found on various occasions that the reports in the press could not be depended upon.

Hon. Mr. CARTWRIGHT—The subject of the deputation to which the hon. member refers was the question of the tea duties. The answer made by me on that occasion was this: I held out no hope to those gentlemen of any alteration in the

policy of the Government, although I promised to submit all their statements, as my duty was, to my colleagues ; but I stated then that as regards cases of individual hardship, these might be dealt with by the Government under the existing laws, according to their respective merits.

The motion for adjournment was then carried, it being understood that the House would re-assemble at 9 p. m.

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AFTER RECESS,

The SPEAKER took the chair at 9:15 p.m.

DUTY ON FISH.

Hon. Mr. MITCHELL said he had received a letter from a merchant in New Brunswick stating that it was reported in that Province that the United States Government had imposed a duty of 1½ cts. per lb. on fresh salmon imported from Canada. He wished to know from the First Minister if he was aware that any such change had been made in the tariff.

Hon. Mr. MACKENZIE—I think there must be some mistake about it. It must be the duty of 1½ per cts. can on canned lobsters. I am not aware that any such change has been referred to has been made in the tariff of the United States.

THE INSOLVENCY BILL.

A message was received from the Senate notifying the House of Commons that they had passed the Act respecting Insolvency with certain amendments.

Hon. Mr. FOURNIER moved that the amendment to the 84th clause be not concurred in as being contrary to the spirit of the Act in its other parts.—Carried.

Hon. M. FOURNIER moved that the amendment to the 120th clause disqualifying assignees from acting when related by blood or marriage to a creditor, be not concurred in on the ground that the assignee has now no judicial authority and also that it would be exceedingly inconvenient to carry out such a provision.—Carried.

The other amendments to the Bill were concurred in.

TEA DUTIES.

Hon. Mr. MITCHELL, referring to a reply given by the hon. Minister of Finance to an enquiry made at the afternoon session by the hon. member for Cumberland, asked the hon. Minister if he could state in what way the Government intended to deal with special cases as they arose in order that the parties interested would know how to make their application.

Hon. Mr. CARTWRIGHT said the Government did not propose to invite parties to make such applications, but they had power under the existing law to deal with special cases of hardship. He could not answer the enquiry with sufficient definiteness to meet the object which the hon. member for Northumberland desired to attain.

Hon. Mr. MITCHELL did not suppose that politics would enter into the consideration of such cases ; but several parties had asked whether or not any remission of duties would be made, for, if so, there might be some particular points which required to be presented in order that a case might receive favorable consideration.

Hon. Mr. CARTWRIGHT said he could not venture to lay down general rules for deciding the cases,

THE GASPE ELECTION.

Mr. TASCHEREAU asked why the report of the Gaspe Controverted Election Case had not yet been sent in. It was well know that the judgment was given early in January unseating the member for that constituency. He had appealed from the decision and his appeal had since then been withdrawn, but no report had been made to the House.

Mr. SPEAKER—I have not received any report.

Hon. Mr. FOURNIER said he had just been informed that the appeal taken by the late sitting member had been dismissed. That was the cause why no report had yet reached Mr. SPEAKER. After the member for Gaspe had been unseated he took an appeal. That might be considered a sham appeal because it was not followed up and no doubt the Judge would now send his final report without any delay.

THE MIRAMICHI BRIDGES.

Hon. Mr. MITCHELL asked the First Minister if he could state what was the height of the Intercolonial Railway Bridges over the North and South West Branches of the Miramichi River, above the water. Fears were entertained by the owners of steamers plying on the river where these bridges were being constructed, that they would prevent this passage. He wished

to know whether, if such should be the case, the Government would give any compensation to vessel owners for the expense of altering the funnels of their steamers.

Hon. Mr. MACKENZIE—I do not know anything about the height of the bridges, but I can promise there will be no compensation.

The House adjourned at 10 p.m.

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HOUSE OF COMMONS,

Wednesday, April 7th, 1875.

The SPEAKER took the chair at three o'clock.

THE INSOLVENCY BILL.

Mr. SPEAKER read a message from the Senate stating that they did not insist upon their amendments to the Insolvency Bill, to which the House of Commons had disagreed.

AMENDMENTS CONCURRED IN.

The amendments made by the Senate to several Bills, including those made to the Act establishing a Supreme Court, were concurred in.

ESQUIMAULT AND NANAIMO RAILWAY.

Mr. DECOSMOS—Mr. SPEAKER, a statement appears in one of the city papers to-day to the effect that a Bill which passed this House providing for the construction of a railway between Esquimault and Nanaimo has been thrown out by the Senate. If such be the case, I desire to know from the Government what course they intend to adopt; whether they intend to proceed with the construction of that railway during the coming year in accordance with the views of this branch of the Legislature, or whether they do not intend to proceed with its construction.

Hon. Mr. MACKENZIE—I have no answer to give: I cannot tell what the Government would do under any particular circumstances.

DEPARTMENTAL REPORTS.

Hon. Mr. SMITH brought down the seventh annual report of the Marine and Fisheries Department.

AFTER RECESS.

Hon. Mr. VAIL brought down the appendices to the annual report of the Militia Department.

At six o'clock the House rose for recess.

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The SPEAKER took the chair at 9.20 P. M. Several amendments made by the Senate to Bills from the House of Commons were concurred in.

The House adjourned at 9.35 P. M. till to-morrow at 2 o'clock.

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HOUSE OF COMMONS,

Thursday, April 8th, 1875.

The SPEAKER took the chair at two o'clock.

THE HALF-BREED LANDS.

Mr. SMITH (Selkirk) asked the Minister of the Interior, in view of the legislation that had taken place this session and the powers taken by the Government to deal with certain matters in connection with the North-West — the half-breed claims, the allotment of scrip to the heads of half-breed families, and to the Scotch settlers—he would like to know within what time a settlement of these questions might be expected. He wished to know when the distribution of lands would take place, when the scrip would be allotted, as well as within what time those having a right to the outer two miles might expect to have it opened for settlement.

Hon. Mr. LAIRD said with respect to the half-breed lands, the delay had taken place last season, owing to the fact that some of those claims in dispute had been referred to the Minister of Justice. The opinion had been obtained that some of those claims would probably have to be recognized. In view of this fact the Government had sent instructions to their agent at Winnipeg to make a return of all those claims to the department, in order that they might be withdrawn from the half-breed lands. As soon as th a return was received, the drawing of the half-breed lands would be proceeded with. Commissioners would be appointed as soon as possible to investigate the claims of

those half-breed settlers, both young and old, to the lands drawn for. The hay claim would also be proceed with as rapidly as the plans could be prepared, which are required to furnish the descriptions for the patents. Though the legislation of this session did not deal with all these questions, still the powers the Government had taken with respect to conflicting claims of settlers with each other, would also be proceeded with and the same might be said with regard to the other claims. Although the member for Lisgar was absent he (Mr. LAIRD) wished to refer to the charge made by that hon. gentleman that the Government had favored the Hudson's Bay Company in issuing patents to them while the same privilege had not been extended to settlers on the settlement belt. He (Mr. LAIRD) had made strict inquiry in the department and found that since the present Government had come into power, not a single patent had been issued to the Hudson's Bay Company for lands of any kind whatever.

PACIFIC RAILWAY TERMINUS.

Mr. WRIGHT (Pontiac) inquired from the Hon. Minister of Public Works whether any information had been received from the engineers sent to examine as to the practicability of the Northern Colonization Railway crossing from Portage du Fort to a point somewhere in the vicinity of the village of Douglas. He believed that explorations had been going forward for some time, and it was rumored that a report had been made to the Government in regard thereto. His excuse for asking the question was that the subject was one of special importance to the people of the county which he represented, and that he was intimately connected with that railway. He had been also given to understand—at all events it was so rumored on the streets—that the terminus of the subsidized portion of the Georgian Bay Branch had been located in the village of Douglas. He had entertained the hope, as did the people of the county of Pontiac, and of the North Riding of Renfrew, that in consideration of the important position of Pembroke, that town would have been selected for the terminus, or if not selected, an instrumental survey would have been ordered before any other place had been chosen for the Eastern terminus of the Georgian Bay Branch. The town of Pembroke possessed many advantages as the terminus. It was at the head of navigation, the principle distributing point for lumber supplies for the Upper Ottawa region, and the point at which both the railroads and steamboats of Ontario and Quebec could meet with equal facility, and the point which would be acceptable to the extreme western men of Ontario.

Hon. Mr. MACKENZIE called the hon. member to order. It was impossible that there could be a discussion on this question. The question was whether information of a certain kind had been received from the engineers. Though not bound to answer that question, he (Mr. MACKENZIE) could tell the hon. gentleman thet he had not received such information and no portion of the road had yet been located that he was aware of.

Hon. Mr. TUPPER.—Have the Government taken any measures, and if so, what measures to secure a connection between the Canada Central Railway, at the point where it now terminates, and Douglas, the point to which the Government are authorized by Parliament to grant a subsidy for the extension to Lake Burnt ?

Hon. Mr. MACKENZIE.—I am afraid the hon. member will have to give the two day's notice of his question. However, I will tell him we have taken no steps of any sort about it, good, bad, or indifferent, but what Parliament is aware of.

At three o'clock the Usher of the Black Rod appeared with a message from HIS EXCELLENCY, summoning the members of the House of Commons to the bar of the Senate.

The House of Commons being in attendance, the following Bills were assented to in HER MAJESTY'S name by HIS EXCELLENCY the GOVERNOR GENERAL, viz:—

An Act to amend *"The Interpretation Act"* as respects the printing and distribution of the Statutes, and territorial application of Acts amending previous Acts.

An Act to repeal certain provisions of an Act of the Legislature of Nova Scotia respecting petty offences, trespasses and assaults.

An Act to amend the Act providing for the organization of the Department of the Secretary of State of Canada.

An Act to amend the Acts for the better preservation of the Peace in the vicinity of Public Works.

An Act to amend the Dominion Militia and Defence Acts.

An Act to incorporate the "Banque Saint Jean-Baptiste."

An Act to change the name of the "Imperial Building, Savings and Investment Company" to that of the "Imperial Loan and Investment Company."

An Act to make further provisions respecting the Central Prison for Ontario.

An Act to amend the Act respecting Procedure in criminal cases and other matters relating to Criminal Law.

An Act for the more speedy trial before Police and Stipendiary Magistrates in the Province of Ontario of persons charged with Felonies or Misdemeanors.

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

An Act to amend "The Immigration Act of 1872."

An Act to amend the Act incorporating the Western Assurance Company and other Acts affecting the same, and to extend the powers of the said company.

An Act further to amend the Acts regulating the issue of Dominion Notes.

An Act further to amend "An Act respecting the administration of justice and for the establishment of a Police Force in the North-West Territories."

An Act to incorporate "The Intelligencer Printing and Publishing Company."

An Act still further to amend "The Patent Act of 1872" and to extend the same, as amended, to Prince Edward Island.

An Act respecting defective Letters Patent and the discharge of securities to the Crown.

An Act to amend the Gas Inspection Act, 1873.

An Act to regulate the construction and maintenance of Marine Electric Telegraphs.

An Act to amend the Act therein mentioned, respecting Banks and Banking.

An Act to amend the Act to incorporate "The London and Canada Bank" and to change the name thereof to that of "The Bank of the United Provinces."

An Act to confirm articles of agreement and consolidation between the European and North American Railway Company for extension from Saint John westward and the European and North American Railway Company of Maine, and for other purposes therein set forth.

An Act to amend an Act to incorporate the Board of Trade of the Town of Levis.

An Act to amend the Act incorporating the Canadian Navigation Company.

An Act to amend the several Acts incorporating or relating to the Richelieu Company, and to change its corporate name.

An Act respecting the Intercolonial Railway.

An Act further to amend the Civil Service Superannuation Act.

An Act to consolidate and amend the Acts relating to the Provincial Insurance Company of Canada.

An Act respecting the lien of the Dominion on the Northern Railway of Canada.

An Act respecting the Canada Central Railway Company.

An Act to incorporate the "Metropolitan Insurance Company of Canada."

An Act to amend the Acts of incorporation of the Great Western Railway Company.

An Act to change the name of the "Montreal, Chambly and Sorel Railway Company" to the Montreal, Portland and Boston Railway Company."

An Act to amend the Act thirty-seventh Victoria, chapter one hundred and fifteen, incorporating "The International Express Company."

An Act to incorporate the Anglo-French Steamship Company.

An Act to incorporate the European and American Express and Agency Company.

An Act to incorporate the National Insurance Company.

An Act to amend "An Act respecting the appropriation of certain Lands of Manitoba."

An Act to extend to the Province of Manitoba the Act for the more speedy trial, in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec.

An Act to amend the Acts respecting Controverted Elections.

An Act for suppressing Gaming Houses and to punish the keepers thereof.

An Act to amend the Act for the more

speedy trial, in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec.

An Act further to amend the Act respecting the treatment and relief of Sick and Distressed Mariners.

An Act to re-arrange the capital of the Northern Railway Company of Canada, to consolidate the enactments relating to the said Company, to enable the said Company to change the gauge of its railway and to amalgamate with the Northern Extension Railways Company, and for other purposes.

An Act to incorporate the "Industrial Life Insurance Company."

An Act to incorporate "The Lower Ottawa Boom Company."

An Act relating to the Upper Ottawa Improvement Company.

An Act to incorporate the "Canadian Gas Lighting Company."

An Act to provide for the amalgamation of the Niagara District Bank with the Imperial Bank of Canada.

An Act relating to Interest and Uusury in the Province of New Brunswick.

An Act to incorporate the "Canada Land Investment Guarantee Company," (Limited.)

An Act to incorporate the Pictou Coal and Iron Company.

An Act to extend to the Province of British Columbia "The Dominion Lands Acts,"

An Act respecting conflicting claims to lands of occupants in Manitoba.

An Act to change the corporate name of the St. Lawrence Navigation Company (steam) and to confer on it certain powers.

An Act to authorize the "Canada Southern Railway Company" to acquire the "Erie and Niagara Railway," and for other purposes.

An Act to legalize and confirm certain agreements made between the Niagara Falls International Bridge Company, the Niagara Falls Suspension Bridge Company and the Great Western Railway Company.

An Act respecting the Huron and Ontario Ship Canal Company.

An Act to amend "The Fisheries Act."

An Act to amend an Act respecting the Coasting Trade of Canada.

An Act to authorize FRANCOIS-XAVIER GALARNEAU and MAGLOIRE CLÉOPHAS GALARNEAU to build and maintain a toll bridge over the River L'Assomption, in the Province of Quebec.

An Act to incorporate the Dominion Railways Equipment Company.

An Act to amend the Act intituled :— "An Act respecting larceny and other similar offences."

An Act to change the name of the Mutual Insurance Company of Canada to "The Dominion Mutual Life Assurance Society," and to amend their Act of incorporation.

An Act to continue for a limited time the Acts therein mentioned.

An Act to repeal the export duty on stave-bolts and oak logs.

An Act to amend the Acts 36 Vic., Chap. 9, and 37 Vic., Chap. 34, respecting the appointment of Harbor Masters.

An Act to repeal an Act of the Legislature of Prince Edward Island, for the collection of the Cape Race Light-House Toll.

An Act respecting the Montreal Northern Colonization Railway Company.

An Act to incorporate a company to construct, own and operate a railway from Red River, in the Province of Manitoba, to a point in British Columbia, on the Pacific Ocean.

An Act to extend certain provisions of "The Seamen's Act, 1873," to vessels employed in navigating the inland waters of Canada.

An act to incorporate "The Canadian Steam Users Insurance Association."

An Act to amend the Law relating to Bills of Exchange.

An Act to incorporate "The Ontario and Quebec Lumber and Timber Association."

An Act to compel persons delivering certain Merchantable Liquids in casks to mark on such casks the capacity thereof.

An Act respecting Life Insurance Companies and Companies doing any insurance business other than Fire and Inland Marine.

An Act further to amend "The Pilotage Act 1873."

An Act to amend the Act passed by the Parliament of the late Province of Canada, intituled: "An Act to incorporate the Montreal Board of Trade."

An Act to amend the Act incorporating the Canada Car and Manufacturing Company.

An Act to prevent cruelty to animals while in transit by Railway or other means of conveyance within the Dominion of Canada.

An Act to amend and consolidate the several Acts respecting Insurance, in so far as regards Fire and Inland Marine business.

An Act to extend and amend the law requiring Railway Companies to furnish returns of their capital, traffic and working expenditure.

An Act to incorporate The Ottawa Royal Life Assurance Company of Canada.

An Act to amend and consolidate the Laws respecting the North-West Territories.

And Act further to amend the General Acts respecting Railways.

An Act to amend the Act Chapter forty-six of the Consolidated Statutes of Canada, intituled: "An Act respecting the Culling and Measuring of Timber."

An Act to provide for the institution of Suits against the Crown by Petition of Right, and respecting procedure in Crown Suits.

An Act to establish a Supreme Court and a Court of Exchequer, for the Dominion of Canada.

An Act respecting the Graving Dock in the Harbor of Quebec, and authorizing the raising of a loan in respect thereof.

An Act respecting the Trinity House and Harbor Commissioners of Quebec.

An Act to incorporate the Quebec and Lake Huron Direct Railway Company.

An Act to amend the provisions of: "An Act to amend the Criminal Law relating to Violence, Threats and Molestations."

An Act to amend and consolidate the Statute Law for the regulation of the Postal Service.

An Act respecting Penitentiaries and the Inspection thereof and for other purposes.

An Act respecting Insolvency.

HIS EXCELLENCY the GOVERNOR GENERAL was pleased to reserve the following Bill for the signification of HER MAJESTY'S pleasure thereon:

An Act for the relief of HENRY WILLIAM PETERSON.

An Act respecting Copyrights.

Then the Honourable the SPEAKER of the House of Commons addressed HIS EXCELLENCY the GOVERNOR GENERAL as follows:—

MAY IT PLEASE YOUR EXCELLENCY,

In the name of the Commons, I present YOUR EXCELLENCY a Bill intituled:

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 June, 1875, and the 30th June, 1876, 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, accepts their benevolence, and assents to this Bill.

After which HIS EXCELLENCY the GOVERNOR GENERAL, was pleased to close the Second Session of the Third Parliament of the Dominion, with the following

SPEECH:

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I cannot relieve you from your attendance in Parliament without thanking you for the assiduity and zeal, by which at an unusually early period in the season you have been enabled to bring the onerous duties of a laborious session to a close.

The session has been fruitful of measures fraught with great consequences to the country.

I have readily given my assent to the Act to establish a Supreme Court and a Court of Exchequer for Canada—a measure which has long been under consideration, and which is necessary to the completion of our judicial system.

The Act respecting Insolvency will promote the interests of commerce, by the wholesome changes introduced in the existing law. These changes will doubtless result in the more careful and economical administration of insolvent estates, giving due protection to the creditor, and at the same time shielding from harsh treatment the honest but unfortunate debtor.

To aid in the development and efficient administration of our great territorial empire in the North-West, an important step has been

taken by the passing of the Act providing for it a form of government predicated upon its present requirements, and framed to meet the exigencies of the near future, by calling into existence representative institutions whenever sufficient population shall have been found for the exercise of the functions of self-government.

The Postal Service Act will by its liberal provisions and the removal of hindrances to free communication by mail tend greatly to the public convenience.

In like manner, much advantage may be expected to result from the passing of the Act respecting Ocean Telegraphy, preventing monopoly, and giving freedom of access to our shores to all Marine Telegraph Companies.

The Copyrights Act has been passed to protect the rights of authors and artists who may desire to avail themselves of its provisions, and to facilitate arrangements for the publication in Canada of the works of writers residing in other countries.

By the Insurance Act greater security has been given to the insured, by the adoption of an effective system of inspection.

The Act relating to Penitentiaries has brought these institutions more immediately under the direction and control of the Government; and the system of administration and inspection has been simplified and cheapened.

Gentlemen of the House of Commons,

I thank you for the Supplies you have granted. They will enable my Government to prosecute the great public works to which the country has been committed, and will, I doubt not, contribute largely to the development of our resources, the growth of our commerce, and the extension into the interior of settlements of hardy and industrious pioneers.

Honorable Gentlemen, and Gentlemen,

I congratulate you on the adoption of many measures, in addition to those enumerated, calculated to add to the public comfort and prosperity, to increase the stability of our institutions, and to promote confidence and good will among the different classes of our people. They, I doubt not, will be found to appreciate your labors to these ends; and I trust that on their part, they will above all things cultivate an unselfish love of country and devotion to the general good.

INDEX.

ACTS OF PROVINCIAL LEGISLATURES—Res. 928.

Acts of Parliament assented to by His Excellency the Governor General, 1021.

Address in reply to His Excellency the Governor General's Speech from the Throne, 5

Agent General, 371

Agricultural Interests of the Dominion.—Res., 887

Alfred Todd, the late, 255

Allowances to Postmasters
Question, Mr. Greenway; Answer, Hon. D. A. Macdonald, 554

Allowances and Gratuities. Res., 233

Allotment of Lands to Half Breeds
Question, Mr. Ryan; Answer, Hon. Mr. Laird, 196

Ammunition, 393

Annual Subsidy to Manitoba
Question, Mr. Bowell; Answer, Hon. Mr. Mackenzie, 1072

APPLEBY, Mr.
Constitution of the Senate, 418
New Brunswick School Question, 562
Fredericton Branch Railway, (Question of Privilege), 702

Armories, Public
Question, Mr. Kirkpatrick; Answer, Hon. Mr. Vail, 253

Baie Verte Canal, 434, 643

Baie Chaleurs Fishings, 1023

BARTHE, Mr.
New Brunswick School Law, 618
Insolvency Bill, 920
Supreme Court Bill, 3 R, 972

Bayfield Harbor
Question, Mr. McIsaac; Answer, Hon. Mr. Mackenzie, 765

Beauharnois Canal, 430

BABY, Mr.
Votes and Proceedings, 263
Outlawry of Riel, 315
New Brunswick School Law, 621, 633
Eastern Communication with the Pacific Railway, 771
L'Assomption River Bridge Bill, 2 R, 894
Supreme Court Bill, 921

Banks and Banking Act Amendment Bill
1 R, 284; 2 R, 490; 3 R, 585

BECHARD, Mr.
New Brunswick School Law, 624
Divorce Court, 859
New Brunswick School Law, (Question of Privilege), 863
Insolvency Bill, 914.

BERTRAM, Mr.
Civil Service, Outside Branch, 294
Instructions to Postmasters. Res., 707

BLAIN, Mr.
Wooden and Iron Buildings, 19
St. Lawrence River, 20
Constitution of the Senate, 418
Surveys of the St. Lawrence River, 600, 605
Insolvency Bill, 820

BLAKE, Hon. Edward
Explanations regarding changes in the Cabinet, 33
Amnesty Resolutions, 887
Protection of Life on Railways Bill, 1 R, 138
Survey of Dominion Lands in British Columbia, 216
Pacific Railway Survey Accounts, 230
Enquiry into Public Matters Bill, 1 R, 259
Land Grant from Ontario to Canadian Pacific Railway, 261

Blake, Hon. Edward, continued
Lepine Commutation, 261
Controverted Elections Act Amendment Bill, 291, 493, 495, 776, 797.
Menonite Loan, 397
Constitution of the Senate, 421
Resolutions respecting salaries of Judges, 424
Baie Verte Canal, 446
The Treaty of Washington and Canadian Fisheries, 471
Pacific Railway, 540
New Brunswick School Law, 580
North West Bill, 657
Northern Railway Bill, 662
Violation of the Treaty of Washington by the United States, 774
Petition of the Member for Victoria, N. S., 807, 833, 911
Marine Electric Telegraph Bill, 870
Manitoba Act Amendment Bill, 931
Esquimalt & Nanaimo Railway Bill, 954
Responsible Government. Res., 1003, 1070
Indian Schools, 1027
General Railway Act Amendment Bill, 1029
Reimbursement of Mr. R. S. M. Bouchette, 1039
Reimbursement of Mr. D. A. Smith, M. P., 1043

BORDEN, Mr.
Pacific Railway, 689

BORROW, Mr.
Pacific Railway, 678
Indian Schools, 1026

BOURASSA, Mr.
Insolveney Bill, 909

BOWELL, Mr.
Lepine Commutation, 24
Expenses of Special Committees, 26
Proceedings of 31st March and 7th April, 1874, 26
Amnesty Resolutions, 51
Riel, withdrawal of motion regarding, 144
Outlawry of Riel, 319, 321
The member for Centre Wellington, (Question of privilege), 325
Militia Act Amendment Bill, 327
Resolutions respecting Postal Service, 476, 486
Controverted Elections Act Amendment Bill, 491, 777, 798
Postal Law Amendment Bill, 582
Baie Verte Canal, 646
Prohibitory Liquor Law, 735, 804, 1055, 1057, 1059
Insolvency Bill, 815, 878, 908
Marine Electric Telegraph Bill, 871
Repeal of Export Duty on Oak Logs Bill, 883
Mohawk Indians, 995
Reimbursement of Mr. D. A. Smith, M. P., 999
Pacific Railway Telegraph, 1013
Philadelphia Exhibition. 1019
Reimbursement of Mr. R. S. M. Bouchette, 1041

BOWMAN, Mr.
Menonite Loan, 250

Breakwater at Cow Bay, 397

Breakwater at Maine a Dieu, 397

Breweries and Distilleries Bill, 323

British Columbia.
Message from His Excellency, in reference to terms of Union, 98
Boundary Line with Alaska, 199, 262
Inland Revenue of, 297
Telegraph Lines, 302, 599
Emigration to—Question, Mr. De Cosmos; Answer Hon. Mr. Mackenzie, 397
New arrangements with regard to Railway—Question, Mr. Bunster; Answer, Hon. Mr. Cartwright, 705
Terms of Union—Question, Mr. De Cosmos; Answer, Hon. Mr. Mackenzie, 705

BROOKS, Mr.
Amnesty Resolutions, 130.

BROUSE, Mr.
Sanitary Bureau, 140
Juvenile Military Education. Res., 144, 157
Veterans of 1812-14, 252
Breweries and Distilleries Bill, 323
International Arbitration, 853

Budget, The—158

BUNSTER, Mr.
Boundary Line between British Columbia and Alaska, 202
Survey of Dominion Lands in British Columbia, 214
The Refreshment Room of the House of Commons, 219

Bunster, Mr., continued.
Pacific Railway, 536, 683
Prohibitory Liquor Law, 720
Insolvency Bill, 819
Esquimalt & Nanaimo Railway Bill, 959
Superior Court Bill, 974

BURKE, Mr.
Port Darlington Harbor, 705

BURPEE, Hon. Mr. *(St. John)*
The Budget, 194
Land Plaster, 199
Civil Service, Outside Department, 294
Fredericton Branch Railway—(Question of Privilege, 702)

BURPEE, Mr. C. *(Sunbury)*
Prepayment of Mail Matter, 197
Baie Verte Canal, 443
New Brunswick School Law, 572
Fredericton Branch Railway—Question of Privilege, 700
Liquor Licenses in New Brunswick, 705

Canada Central Railway Subsidy
Motion that Order in Council be ratified—Hon. Mr. Mackenzie, 698

CAMERON, Hon. J. H. *(Cardwell)*
Juvenile Military Education, 150
Controverted Elections, 157, 494, 581
Criminal Procedure Amendment Bill, 195
Promissory Notes Bill, 195
Marine Electric Telegraph Bill, 244
Postal Law Amendment Bill, 271, 582, 797
Outlawry of Riel, 308
The Member for Centre Wellington—(Question of Privilege), 323, 325
Militia Act Amendment Bill, 329
Constitution of the Senate, 420
Resolutions respecting Postal Service, 488
Supreme Court Bill, 752
Orders of the Day, changes suggested, 773
Insurance Bill, 785
Insolvency Bill, 415

CAMERON, Hon. Malcolm *(South Ontario)*
Juvenile Military Education, 156, 233
Land Plaster, 199
New Brunswick School Law, 570
Prohibitory Liquor Law, 729
International Arbitration, 843

CAMPBELL, Mr.
Menonite Loan, 387
Petition relating to Victoria Election, 833
Reciprocity with the United States, 842

Canadians in the United States
Question, Mr. Masson ; Answer, Hon. Mr. Mackenzie, 262

Capital Punishment, 212

Cape Race Light House Bill
1 R, 928 ; 2 R, 948 ; 3 R, 1035

CASEY, Mr.
Juvenile Military Education, 153
Constitution of the Senate, 415
Civil Service Reform, 708
Reimbursement of Mr. D. A. Smith, M. P., 1043

Carriers by Land and Water Bill
1 R, 323 ; withdrawn.

CARTWRIGHT, Hon. J. H.
Dominion Notes, 35
Estimates submitted, 98
Budget Speech, 158
Replies to criticisms on Budget Speech, 185, 189, 353
Post Office Money Orders, 197
Land Plaster, 199
Loan of 1874, 209
Withdrawal of Twenty Cent Pieces, 212
Menonite Loan, 249, 251, 390
Veterans of 1812-14, 251
Military Stores, 253
Dominion Force in Manitoba, 254
Communication between Lakes Huron and Superior, by Canal, 255
Banks and Banking Act Amendment Bill, 284, 490, 585
Civil Service, Outside Department, 292
Dominion Notes Bill, 305, 586
Supplementary Estimates, 370
The Agent General, 376
Insurance Act Amendment Bill, 452, 586
Civil Service Act Amendment Bill, 554
Life Insurance Act Amendment Bill, 581
Public Debt Bill, 586
Civil Service Superannuation Bill, 699
Civil Service—resolutions respecting, 759, 761
Intercolonial Railway—change of guage, 989

CARON, Mr.
Amnesty resolutions, 131

CAUCHON, Hon. J. E.
Official Reports of Debates, 5
Commutation of Lepine's Sentence, 25
Amnesty Resolutions, 122
Militia Organization, 212
Outlawry of Riel, 314
Constitution of the Senate, 409, 420
Baie Verte Canal, 441
Pacific Railway, 536
New Brunswick School Law, 611
Divorce Court, 860
Supervisor of Cullers' Bill, 868
Supreme Court Bill, 977
Responsible Government, 1008

Census Returns, 334

Census Volumes
Question, Mr. Ross, (Middlesex) ; Answer, Hon. Mr. Mackenzie, 198

Certificates and Reports from Election Judges, 1

CHARLTON, Mr.
Cruelty to Animals during Transit Bill, 34, 233
Menonite Loan, 251
Reciprocity with the United States, 837
Export Duty on Oak Logs Repeal Bill, 882

Civil Service Act Amendment Bill, 554, 699, 784

Civil Service Reform. Res., 708

Civil Service, Outside Department, 292

Civil Service, resolutions respecting, 759

CIMON, Mr.
Fisheries Act, Motion for Returns, 233
Indians of Chicoutimi, 277
Resolutions respecting salaries of Judges, 425
Pacific Railway, 548
Appointment of J. A. Hamel, 707
Supervisor of Cullers' Bill, 867
Supreme Court Bill, 986

Coasting Trade Act Amendment Bill, 1 R., 927 ; 2 R., 1035 ; 3 R., 1035

COCKBURN, Mr.
Pacific Railway, 539

COLBY, Mr.
Postal Law Amendment Bill, 237
New Brunswick School Law, 617
London (Eng.), Emigration Office, 770
Insolvency Bill (discussion in committee) 810, 812, 822, 910, 915, 919

Collection of Customs, 291

Committees, Select Standing, 3

Commutation of Lepine's Sentence
Motion for an Address to His Excellency praying for correspondence relating to—Mr. Masson, 21
Message from His Excellency transmitting said correspondence, 28
Question, Sir John Macdonald ; Answer, Hon. Mr. Mackenzie, 33
Question, Hon. Mr. Blake ; Answer, Hon. Mr. Mackenzie, 262
Message from His Excellency transmitting further correspondence, 554

Common Carriers
Question, Mr. Young ; Answer, Hon. Mr. Smith, 140

Consolidation of the Statutes
Question, Mr. Biggar ; Answer, Hon. Mr. Fournier, 399

Contested Returns and Corrupt Practices
Resolutions relating to, 3
Question, Mr. Casgrain ; Answer, Hon. Mr. Fournier, 554

Controverted Elections Act Amendment Bill (No. 1, Mr. Cook), 1 R., 139 ; order discharged

Controverted Elections Act Amendment Bill (No. 2, Hon. Mr. Fournier), 1 R., 157; 2 R., 291 ; 3 R., 490

Controverted Elections Act Amendment Bill (No. 3, Hon. J. H. Cameron), 1 R., 490 ; 2 R., 581 ; 3 R., 873

Continuation of Acts Bill
1 R., 944 ; 2 R., 1050 ; 3 R., 1050

COOK, Mr.
Controverted Elections Act Amendment Bill, 139
Toronto Harbour, 143
Protection of Life on Wharves and Docks Bill, 196
Northern Railway Government Lien Bill, 789

Copyrights
Motion for correspondence relating to, Mr. Dymond, 206

Copyrights Bill (From the Senate)
1 R., 606 ; 2 R., 642, 677; 3 R., 781

COUPAL, Mr.
Amnesty Resolutions, 127

Court of Admiralty
Question, Mr. Wood ; Answer, Hon. Mr. Fournier, 19

COSTIGAN, Mr.
New Brunswick School Law—Res. declaring expediency of addressing Her Majesty for an amendment of Confederation Act, 613
Speeches in debate on said resolution, 613, 627
Question of Privilege raised by Mr. Devlin, regarding debate on New Brunswick School Law, 862
Indian Schools, 1025

Criminal Law in Nova Scotia Bill
1 R., 245 ; 2 R., 245 ; 3 R., 245

Criminal Procedure Amendment Bill
1 R., 195 ; order discharged, 804

Criminal Law Amendment Act Amendment Bill—1 R., 928 ; 2 R., 1035 ; 3 R., 1035

Criminal Law Amendment Act Repeal Bill
1 R., 35 ; 2 R., 898 ; order discharged
Cruelty to Animals during Transit Bill.
1 R., 34 ; 2 R., 233 ; 3 R., 898

CUNNINGHAM, Mr.
Pacific Railway Survey, 212

CURRIER, Mr.
Amnesty Resolutions, 128
Postal Law Amendment Bill, 270
New Brunswick School Law, 577
Export duty on Oak Logs Repeal Bill, 884
Philadelphia Exhibition, 1017

DAVIES, Mr.
Prince Edward Island Railway, 768
Insolvency Bill, 914

DAWSON, Mr.
Steam communication between Prince Edward Island and Pictou, 221

Dawson Route
Question, Mr. Farrow ; Answer, Hon. Mr. Mackenzie, 262
Discussion of appropriation in Estimates, 448

DECOSMOS, Mr.
Amnesty Resolutions, 126
Esquimalt Graving Dock, 141, 706
Boundary between British Columbia and Alaska, 201
Pacific Railway—Motion for an Address to His Excellency, 206
Survey of Dominion Lands in British Columbia, 215, 219
Emigration to British Columbia, 397
Constitution of the Senate, 409
British Columbia Telegraph Line, 599
Pacific Railway, 670
Treaty of Washington, 706
Trade Relations with the Hawaiian Kingdom—Motion for an Address to His Excellency, 832
Divorce Court, Res,, 858
Esquimalt Graving Dock Bill, 958

DELORME, Mr.
Railway Companies By-Laws, 454

Departmental Reports Presented
Public Works, 4
Library, 4
Public Accounts, 18
Trade and Navigation, 18
Marine and Fisheries, 1085

Department of Secretary of State Bill
1 R., 2 R., and 3 R., 589

DESJARDINS, Mr.
Amnesty Resolutions, 126
Menonite Loan, 387
New Brunswick School Law (Question of Privilege), 863

DEVLIN, Mr.
Amnesty Resolutions, 106
Carriers by Land and Water Bill, 323
New Brunswick School Law, 566, 616, 628
New Brunswick School Law (Question of Privilege), 861
Insolvency Bill, 913
Reimbursement of Mr. D. A. Smith, M. P., 947

Direct Route between Canada and Europe, 706

Disallowance of Provincial Acts
Question, Mr. De Cosmos ; Answer, Hon. Mr. Mackenzie, 1003

Divorce Court—Res., 858

Dominion Lands Act Extension Bill
1 R., 2 R., and 3 R., 931

Dominion Force in Manitoba, 254

Dominion Lands Act Amendment Bill
1 R., 793 ; 2 R., 869 ; 3 R., 930

Dominion Lands in British Columbia
Survey of—214

Dominion Notes Bill
1 R., 305 ; 2 R., and 3 R., 586

Dominion Notes, 333

Dominion Note Circulation, 456, 803

DOMVILLE, Mr.
Intercolonial Railway, 140
Juvenile Military Education, 152
The Budget, 190
St. John Ballast Wharf, 197
Special Rates on Intercolonial Railway, Motion for Returns, 205
Intercolonial Railway Supplies, 206
Prince Edward Island Railway, 306
The Financial Statement, 368
Baie Verte Canal, 438, 651
Petition of Messrs. Fraser, Reynolds, & Co., 450, 453
Ordnance Lands at Fredericton, 707
Petition of Messrs. Fraser, Reynolds & Co., (Question of Privilege), 864

Drill Sheds and Rifle Ranges, 1037

Duckett, Edward—The case of, 462

Duties on Tea
Question, Mr. Donahue ; Answer, Hon. Mr. Cartwright, 763
Question, Hon. Mr. Tupper ; Answer, Hon. Mr. Cartwright, 1088
Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Cartwright, 1089

Duties on Fish
Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie, 1089

Duty on Oak Logs, 881

DYMOND, Mr.
Copyrights—Motion for Returns, 206
Copyrights Bill, 642, 777
Capital Punishment, 212
Juvenile Military Education, 233
Menonite Loan, 251, 383
Constitution of the Senate, 422
Resolutions respecting Postal Service, 482
Prohibitory Liquor Law, 727, 1056
International Arbitration, 855
Messrs. Fraser, Reynolds, & Co., (Question of Privilege), 864
Agricultural Interests of the Dominion, 891
L'Assomption River Bridge Bill, 893
Philadelphia Exhibition, 1018
Reimbursement of Mr. R. S. M. Bouchette, 1040

Emigration Office, London, 770

Enquiry into Public Matters, 259

Escuminac Lighthouse
Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Smith, 765

Estimates—Message from His Excellency submitting, 98

Esquimalt Graving Dock
Question, Mr. De Cosmos ; Answer, Hon. Mr. Mackenzie, 141
Address to His Excellency respecting, 708

Esquimalt Naval Station
Question, Mr. Roscoe ; Answer, Hon. Mr. Mackenzie, 261

Esquimalt and Nanaimo Railway Bill
1 R., 949 ; 2 R., 949 ; 3 R., 967
Question, Mr. De Cosmos ; Answer, Hon. Mr. Mackenzie, 1090

Expenses of Special Committees
Motion for a statement of—Mr. Ross, (Middlesex), 23

FARROW, Mr.
Amnesty Resolutions, 135
Dawson Route, 261
Menonite Loan, 338
Insolvency Bill, 827
Reimbursement of Mr. D. A. Smith, M. P., 1000, 1045

Fisheries of the Dominion—Motion
Address to His Excellency the Governor General, praying for copies of all correspondence between the Government of Canada and the Government of Great Britain in reference to the monetary compensation to be paid to Canada, under the Treaty of Washington, for the liberty of fishing in Canadian waters, etc. *(Mr. Mills)* 209.
Motion withdrawn, 462

Fishery Officers in Ontario
Discussion in Committee of Supply, 257

Fisheries Act
Motion for Returns, Mr. Cimon, 203

Fisheries Act Amendment Bill
1 R., 881, 2 R., 1036 ; 3 R., 1036

Fire Arms
Discussion in Supply, 396

FISET, Mr.
Amnesty Resolutions, 131
Recovery of Lost Goods on Intercolonial Railway, 198

Financial Statement
Criticisms upon, 334

FLESHER, Mr.
Outlawry of Riel, 317

FLEMING, Mr.
Inter-Provincial Trade—Motion for Returns, 707
Agricultural Interests of the Dominion, 892

FLYNN, Mr.
New Brunswick School Law, 629
Violation of the Treaty of Washington by the United States, 775
New Brunswick School Law, (Question of Privilege), 862

FORBES, Mr.
West Indies Mail Service, 261
Storm Signals, 261
Baie Verte Canal, 443
Inspection of Fish, 904

Foreign Enlistment
Question, Sir John A. Macdonald ; Answer, Hon. Mr. Fournier, 1049

Foreign Enlistment Bill
1 R., 29 ; 2 R., 245 ; withdrawn, 1049

FOURNIER, Mr.
Court of Admiralty, 19
Repeal of Chap. 167, Nova Scotia Statutes Bill, 29
Foreign Enlistment Bill, 29, 1049
Amnesty Resolutions, 119
Controverted Elections Bill, 157, 490
Criminal Law in Nova Scotia, 245
Supreme Court Bill, 284, 737, 753, 3 R., 973, 982, 985
Penetentiaries Bill, 306
Outlawry of Riel, 311
Manitoba, 332
Insolvency Bill, 2 R., 371 ; discussion in Committee, 809, 908
Administration of Justice in the North West Bill, 423, 585
Salaries of Judges, Res., 241
New Brunswick School Law, 619
Salaries of County Court Judges in Nova Scotia Bill, 587
Summary Trials Bill, 642
General Railways Act Amendment Bill, 1029

Fraser, Reynolds, & Co.
Petition of—Motion for adoption—Mr. Domville, 450, 553

Fraser River Navigation
Question, Mr. Thompson (Cariboo) ; Answer, Hon. Mr. Mackenzie, 198

FRECHETTE, Mr.
Motion for an Address in reply to His Excellency's Speech from the Throne, 5
Amnesty Resolutions, 125

Fredericton Branch Railway, 700

GALBRAITH, Mr.
Huron and Ottawa Railway, Motion for an Address to His Excellency, 206
The case of Alexander Youll, 707

Gas Inspection Bill
1 R., 241 ; 2 R., 490 ; 3 R., 490

Gaspe Election
Question, Mr. Taschereau ; Answer, Hon. Mr. Fournier, 1089

GAUDET, Mr.
Amnesty Resolutions, 127
Supreme Court Bill, 983

Gentleman Usher of the Black Rod
Delivers Message from His Excellency desiring presence of Commons at Bar of Senate, 1, 1091

General Railways Act Amendment Bill
1 R., 886 ; 2 R., 1028 ; 3 R., 1048

Geological Museum
Question, Mr. Goudge ; Answer, Hon. Mr. Mackenzie, 1003

Geological Survey
Report presented, 28
Explorations, 498

GEOFFRION, Hon. Mr.
Limits of Inspection Districts, 197
Inspection Bill, 241
Outlawry of Riel, 315
Pacific Railway, 530
Marks on Casks Bill, 581
Supervisor of Cullers Bill, 589
Weights and Measures, 897

Georgian Bay Branch of the Pacific Railway—Question, Mr. Wood ; Answer, Hon. Mr. Mackenzie, 140
Motion for a return of tenders, Hon. Mr. Tupper, 209

GILLIES, Mr.
Indian Lands on Saugeen Peninsula, 397

GILLMOR, Mr.
Baie Verte Canal, 445, 651

GLOBENSKY, Mr.
Motion that he be permitted to take his seat in the House, Hon. Mr. Mackenzie, 475

GORDON, Mr.
Amnesty Resolutions, 109
Land Plaster, 198
Juvenile Military Education, 233
Mississagua Indian Tribe, 399
New Brunswick School Law, 565
Prohibitory Liquor Law, 731
Civil Service Resolutions, 763
Whitby Harbour, 772

GOUDGE, Mr.
The Budget, 195
Isle of Haute Light House, 197
Land Plaster, 199
Baie Verte Canal, 445
New Brunswick School Law, 574
Prohibitory Liquor Law, 731
Insolvency Bill, 921
The Plimsoll Bill, Observations, 928

Government Lands in the North West
Question, Mr. Archibald ; Answer, Hon. Mr. Mackenzie, 1081

Government Buildings at Guelph
Question, Mr. Stirton ; Answer, Hon. Mr. Mackenzie, 599

Grand Manon Harbour
Question, Mr. Gillmor ; Answer, Hon. Mr. Mackenzie, 398

Guyon Island Lighthouse, 397

HAGAR, Mr.
Veterans of 1812-14, 253

HAGGART, Mr.
Military stores, 253

Half Breeds' Lands
Question, Mr. D. A. Smith ; Answer, Hon. Mr. Laird, 1090

Halifax Penitentiary, 333
HAMEL, J. A., appointment of, 707

Harbour Masters' Act Amendment Bill
1 R., 586 ; 2 R., 930 ; 3 R., 968

Harbour Master for Three Rivers
Question, Mr. Barthe ; Answer, Hon. Mr. Smith, 704

Harbours and Breakwaters in Prince Edward Island, Pes., 705

Harbour au Bouche
Question, Mr. McIsaac ; Answer, Hon. Mr. Mackenzie, 705

Hawaiian Kingdom
Trade relations with—Motion—
That in view of extending the commerce of the Dominion on the Pacific, it is desirable that the Government take into consideration the advisableness of securing a Commercial Treaty between Canada and the Hawaiian Kingdom, similar to the Treaty negotiated between that country and the United States—(*Mr. DeCosmos.*)—842.
Motion agreed to, 843

His Excellency the Governor General opens Parliament, 1
Speech from the Throne, 2
Prorogues Parliament, 1093

His Excellency's Commission
Motion for copy of—Mr. Masson, 21

HOLTON, Hon. L. H.
North-West Difficulties, 19
Proceedings of 31st March and 9th of April, 1874, 27
Motion for certain changes in the constitution of Standing Committees, 34
Pacific Railway Survey Accounts, 231
The late Mr. Alfred Todd, 245
Dominion Notes' Bill, 306
Outlawry of Riel, 317
The Member for Centre Wellington (Question of Privilege) 325
Supplementary Financial Statement, 370
The Mennonite Loan, 378, 385
Baie Verte Canal, 437
Completeness of the Journals of the House, 502
Pacific Railway, 528
Postal Law Amendment Bill, 583
Eastern connection with the Pacific Railway, 770
Prohibitory Liquor Law, 804, 1016
Insolvency Bill, 916
Supreme Court Bill, 976
Welland Canal, 987
Responsible Government, 1009
Philadelphia Exhibition, 1018
Reimbursement of Mr. R. S. M. Bouchette, 1038

HORTON, Mr.
Limits of Inspection Districts, 197

House of Commons
Gas Lighting—Question, Mr. Charlton; Answer, Hon. Mr. Mackenzie, 834

HUNTINGTON, Hon. L. S.
Constitution of the Senate, 422
Insolvency Bill, 821

HUOT, Mr.
Proceedings against — Question, Mr. Taschereau ; Answer, Hon. Mr. Fournier, 704

Hudson's Bay Company's Claims
Question, Mr. Schultz ; Answer, Hon. Mr. Mackenzie, 1003

Huron South
Certificate of Election Return, 195

Huron and Ottawa Railway
Motion for an Address to His Excellency—Mr. Galbraith, 206

Immigration Bill
1 R., 475 ; 2 R., 586 ; 3 R., 784

Improvement of Navigable Rivers, 447

Import Duty on Flour
Question, Mr. Fraser ; Answer, Hon. Mr. Mackenzie, 887

Indians of New Brunswick, 275

Indians of Chicoutimi, 277

Indian Veterans of 1812-14
Question, Hon. Mr. Pope ; Answer, Hon. Mr. Mackenzie, 765

Indian Schools
Question, Mr. Goudge ; Answer, Hon. Mr. Laird, 454
Appropriation for, 1024

Indian Missions, 994

Indians (Mohawk), 995

Indian Lands of Saugeen Peninsula
Question, Mr. Gillies ; Answer, Hon. Mr. Laird, 397

Indians (the Mississagua Tribe), 399

Indians
Laws in reference to—Question, Mr Patterson ; Answer, Hon. Mr. Laird, 397, 499

Inland and Coasting Ships
Certificates of Masters, 833

Inspection of Fish Bill
1 R., 904 ; 2 R., 904 ; 3 R., 1016

Inspection Districts
Limits of — Question, Mr. Horton ; Answer, Hon. Mr. Geoffrion, 197

Insolvency Bill
1 R., 239 ; 2 R., 370 ; discussion in Committee, 809, 874, 907 ; 3 R., 921 ; Amendments by Senate, 1089

Instructions to Postmasters
Motion for copy of—Mr. Macdougall (South Renfrew), 707

Insurance Act Amendment Bill
1 R., 452 ; 2 R., 586 ; 3 R., 784

Interpretation Act Amendment Bill
1 R., 2 R., and 3 R., 588

Inter-Provincial Trade
Motion for returns—Mr. Fleming, 707

International Money Order System
Question, Mr. Scriver ; Answer, Hon. D. A. Macdonald, 198

Internal Management of the House of Commons
Message from His Excellency, 33

Intercolonial Railway Bill
1 R., 653 ; 2 R. and 3 R., 783

Intercolonial Railway
Question, Hon. Mr. Tupper ; Answer, Hon. Mr. Mackenzie, 20
Question, Mr. Domville ; Answer, Hon. Mr. Mackenzie, 140
Recovery of Lost Goods on—Question, Mr. Fiset ; Answer, Hon. Mr. Mackenzie, 198
Special Rates—Motion for returns, Mr. Domville, 205
Supplies, 206
Spring Hill Branch, 264
Estimates, 298, 589
Increased Accommodation at St. John, 427
Claims of Contractors, 453
Chatham Branch, 598
Chatham Branch—Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie, 706
Section Sixteen, 706
Steel Rails for—Question, Mr. Palmer; Answer, Hon. Mr. Mackenzie, 843
Change of Guage, 789

International Arbitration—Resolution—
That an humble Address be presented to Her Majesty praying; That she will be graciously pleased to cause her principal Secretary of State for Foreign Affairs to enter into negotiations with Foreign Powers with a view to further improvement in International Law, and the establishment of a general and permanent system of International Arbitration—*Hon. Mr. Cameron, (South Ontario)*—843

Motion in Amendment—
That all the words after "that" in the original motion to be left out, and the following inserted :—"This House will at all times be ready to give its best consideration to any practical legislation that may tend to promote international intercourse, and thus, by establishing a community of interest between Canada and foreign States, secure the maintenance of peace."—(*Mr. Dymond*)—856

Resolution and Amendment withdrawn, 858

IRVING, Mr.
Regulation of Railway Traffic Bill, 34, 256
Criminal Law Amendment Act Repeal Bill, 35, 898
Postal Delivery, 35
Newspaper Postage, 35
Suits against the Crown Bill, 139, 802
Railway Returns Bill, 266
Pacific Railway, 669
Supreme Court Bill, 744, 974, 976
Esquimalt and Nanaimo Railway Bill. 950

Isle of Haute Lighthouse
Question, Mr. Goudge ; Answer, Hon. Mr. Smith, 197

JETTE, Mr.
Lachine Canal, 636
Railway Properties Bill, 807
L'Assomption Bridge Bill, 895

JONES, Mr. (*Halifax*)
Case of Edward Duckett, 462
Baie Verte Canal, 439
Violation of the Treaty of Washington by the United States, 774
Weights and Measures, 896
Supreme Court Bill, 968

JONES, Mr. (*Leeds*)
Rideau Canal, 769
Supreme Court Bill, 925
Philadelphia Exhibition, 1017

Journals of the House
Completeness of, 501

Judges' Salaries
Question, Hon. Mr. Blake ; Answer, Hon. Mr. Mackenzie, 453
Resolutions respecting, 424

Juvenile Military Education
Motion—
"That a Select Committee be appointed to report upon our present system of military drill, with the view to ascertain if some improvement may not be effected therein."—(*Mr. Brouse*), 144

Motion in amendment—
"That so far from it being desirable that our youth should be taught in schools the art of war, and a military spirit engendered," &c—(*Hon. Mr. Cameron, South Ontario,*)—157
Amendment and main motion withdrawn, 157

KERR, Mr.
Menonite Loan, 389
Insolvency Bill, 828
Prohibitory Liquor Law, 1058

KILLAM, Mr.
Baie Verte Canal, 443
Pictou Harbour, 708

Kingston Harbour, 473

KIRKPATRICK, Mr.
Lepine Commutation, 28
Veterans of 1812-14, 252
Public Armories, 253
Militia Act Amendment Bill, 330
Welland Canal, 432, 987, 591
Baie Verte Canal, 447, 651
Controverted Elections Act Amendment Bill, 495
Completeness of the Journals of the House, 502
Lachine Canal, 636
Insolvency Bill, 818
Pacific Railway Telegraph, 1014, 1050
General Railways Act Amendment Bill, 1031

Kitson Line of Steamers, 706

Lachine Canal
Discussion in Supply, 428
Address to His Excellency, 707

LAFLAMME, Mr.
Montreal Registry Division, 707
Supreme Court Bill, 939, 970, 981

LAIRD, Hon. Mr.
Report of Geological Survey, 28
Allotment of Lands to Half Breeds, 196
Claims to Unpatented Lands in Manitoba, 197
Steam Communication between Prince Edward Island and Pictou, 221
Indians of New Brunswick, 275, 281
Menonite Loan, 380
Indian Lands on the Saugeen Peninsula, 397
Laws in reference to Indians, 397
Patent Act Amendment Bill, 782
Conflicting Claims to Lands in Manitoba Bill, 793, 930
Manitoba Act Amendment Bill, 931
Indian Schools, 1025

Lake Settlement Way Office
Question, Hon. Mr. Mitchell; Answer, Hon. D. A. Macdonald, 886

Lakes Huron and Superior
Question, Mr. Wright (*Pontiac*); Answer, Hon. Mr. Cartwright, 255

LANDERKIN, Mr.
Post Office Money Orders, 197
Resolutions respecting Postal Service, 484
Prohibitory Liquor Law, 727
Reimbursement of Mr. D. A. Smith, M. P., 1044

Land Plaster
Motion for Returns—Mr. Gordon, 198

Land Grants to Volunteers, 765

Land Purchase Act of 1874, 707

LANGLOIS, Mr.
Insolvency Bill, 913
Supreme Court Bill, 932

LANTHIER, Mr.
Beauharnois Canal, 430

Larceny Act Amendment Bill
1 R., 581; 2 R., 736; 3 R., 775

L'Assomption Bridge Bill, 893

LAURIER, Mr.
Lepine Commutation, 24, 26
Amnesty Resolutions, 116
Eastern communication with the Pacific Railway, 771
Supreme Court Bill, 944

Length of the Session, 773

Levis Custom House
Question, Mr. Frechette ; Answer, Hon. Mr. Burpee, 705

Life Insurance Act Amendment Bill
1 R., 581 ; 2 R., 736 ; 3 R., 775

Life Boat Construction
Question, Mr. Macdougall, *(Elgin)* ; Answer, Hon. Mr. Smith, 141

Life Boats, 497

Light House Service, 1023

LITTLE, Mr.
Enrolment of Militia, 261

Little Glace Bay Harbour
Question, Mr. McDonald, *(Cape Breton)* Answer, Hon. Mr. Mackenzie, 835

Lingan Harbour Bridge
Question, Mr. Macdonald, *(Cape Breton)* Answer, Hon. Mr. Mackenzie, 835

Loan of 1874
Motion for Returns, Hon. Mr. Tupper, 209

Lobbying in the Senate
Question of Privilege, Sir John A. Macdonald, 1080

Lumber Exportation from Chicoutimi and Saguenay, 706

MACDONALD, Hon. D. A.
Free Postal Delivery, 35
Newspaper Postage, 35
Postal Law Amendment Bill, 137, 266
Steam Communication with the West Indies, 141
Prepayment of Mail Matter, 197
International Money Order System, 198
Steam Communication between Prince Edward Island and Picton, 220
West Indies Mail Service, 261
Gulf Ports Mail Service, 302
Resolutions regarding Postal Service, 475, 481
Discussion of Postal Bill in Committee, 582
Postal Law Amendment Bill—Address to His Excellency, 1048

MACDONALD, Sir John A.
Official Reporters, 4
Debate on the Address, 12, 18
Lepine Commutation, 25, 33
Proceedings of 31st March and 9th April, 1874, 27
Marine Telegraph Bill, 29, 245
Remarks on Changes in the Cabinet, 31
Railway Act Amendment Bill, 34
Amnesty Resolutions, 66
Protection of Life on Railways Bill, 138
Expulsion of Riel, 139
Juvenile Military Education, 151, 156
Survey of Dominion Lands in British Columbia, 219
Pacific Railway Survey Accounts, 231
Allowances and Gratuities, 233
Vacancies since General Election, 233
Volunteers in Manitoba, 234
Menonite Loan, 249
Postal Law Amendment Bill, 273, 583
Supreme Court Bill, 288
Civil Service (Outside Department) 293
Penitentiaries Bill, 307, 640
Outlawry of Riel, 312, 318
The Member for Centre Wellington, (Question of Privilege), 322
The Agent General, 373
Reporting of Mr. Plumb's Speech, 635
Baie Verte Canal, 647
North West Territories Bill, 656
Civil Service Resolutions, 761
Land Grants to Volunteers, 765
Violation of the Treaty of Washington by the United States, 775
Insolvency Bill, 817
Divorce Court, 859
Acts of Provincial Legislatures, 928
Esquimalt and Nanaimo Railway Bill, 963
Supreme Court Bill, 972, 975, 977, 980, 985
Reimbursement of Mr. D. A. Smith, M. P., 1000
Responsible Government, 1003
Pacific Railway Telegraph, 1014
Philadelphia Exhibition, 1018
Criminal Law Amendment Act Amendment Bill, 1036
Reimbursement of Mr. R. S. M. Bouchette, 1040
North West Bill, 1048
Naturalization of Aliens, 1085
Rules of the House, 1088

MCDONNELL, Mr. *(Inverness)*
Outlawry of Riel, 316
Baie Verte Canal, 434

MACDOUGALL. Mr. J. L. (*South Renfrew*)
Export Duty on Oak Logs Bill, 885

MACDOUGALL, Mr. Colin (*East Elgin*)
Address in Reply to Speech from the Throne, 9
Construction of Life Boats, 141
Juvenile Military Education, 152, 156
Speedy Trials Bill, 158, 212, 803
The Financial Statement, 368
Constitution of the Senate, 416
Supervisor of Cullers Bill, 868
Insolvency Bill, 915
Prohibitory Liquor Law, 1054

McCALLUM, Mr.
Canadian Shipping on Lake Michigan, 208
Welland Canal, 431, 455, 591
Pacific Railway, 688
Civil Service Resolutions, 762
Northern Railway Lien Bill, 795
Insolvency Bill, 914
Rideau Canal, 769
Violation of the Treaty of Washington by the United States, 774
Toronto Harbour, 1022
Duty on Oak Logs Repeal Bill, 1049

McCRANEY, Mr.
Prohibitory Liquor Law, 728

MACKAY, Mr. (*Cape Breton*)
Baie Verte Canal, 441, 651
Surveys of the St. Lrwrence, 603
Violation of the Treaty of Washington by the United States, 775

MACKENZIE, Mr. (*Montreal*)
Dominion Notes, 35
Amnesty Resolutions, 127
New Brunswick School Law, 571
Prohibitory Liquor Law, 722, 1052, 1059

MACKENZIE, Hon. Mr.
Official Reports, 4
Debate on the Address, 15
North West Difficulties, 19
Welland Canal, 20, 454, 456, 590,0 88
St. Lawrence Canals, 20, 429
Inspector of Insurance Companies, 20
Intercolonial Railway, 20, 140
St. Lawrence River, 20
Lepine Commutation, 25, 28, 33, 262
Select Standing Committees—Motion for Special Committee to prepare Lists, 26
Public Works Report, 28
Marine Telegraphs Bill, 25, 28, 29, 98 ; 2 R., 241 ; 426, 870, 873
Changes in the Cabinet—Explanations regarding, 30, 32
Public Works on the Saguenay, 35
Subsidies to Railways, 35
Amnesty Resolutions, 36, 141
Terms of Union with British Columbia, 98
Protection of Life on Railways Bill, 137
Preservation of the Peace in the vicinity of Public Works Bill, 139, 274
Expulsion of Riel, 139
Sanitary Bureau, 140
Railway Carrying Trade, 140
Georgian Bay Branch of the Pacific Railway, 140
Menonite Emigration, 141
Esquimalt Graving Dock, 141
Toronto Harbour, 143, 1021
Juvenile Military Education, 151, 157
The Budget, 190
Navigation of the Saguenay, 196
Navigation of the Miramichi, 196
St. John Ballast Wharf, 197
Census Volumes, 198
Recovery of Lost Goods on the Intercolonial Railway, 198
Navigation of the Fraser River, 198
Boundary between British Columbia and Alaska, 201, 263
Statistics, 204, 290
Special Rates on the Intercolonial Railway, 205
Copyrights, 206
Canadian Shipping on Lake Michigan, 208
Pacific Railway Survey, 212
Volunteer Militia Organization, 212
Survey of Dominion Lands in British Columbia, 217
Pacific Railway Survey Accounts, 227, 229
Vacancies since General Election, 234
Statistical Department, Nova Scotia, 247
Philadelphia Exhibition, 248
Veterans of 1812-14, 253
Military College, 253
Canadians in the United States, 261
Enrolment of Militia, 261
Land Grant from Ontario to the Pacific Railway, 261
Naturalization of Aliens, 262, 1086
Indians of New Brunswick, 279
Civil Service, Outside Department, 293
Prince Edward Island Railway, 300
Outlawry of Riel, 307, 318, 320
The Member for Centre Wellington, 322, 324

Mackenzie, Hon. Mr. (continued)
Militia Act Amendment Bill, 328
Debate on the Financial Statement, 356
The Agent General, 373
Emigration to British Columbia, 397
Constitution of the Senate, 421
Lachine Canal, 428
Beauharnois Canal, 430
Baie Verte Canal, 438, 444, 643
Dawson Route, 448
Railway Companies By-Laws, 454
The Treaty of Washington and Canadian Fisheries, 472
Resolutions respecting Postal Service, 478
Controverted Elections Act Amendment Bill, 492
Completeness of the Journals of the House, 502
Pacific Railway, 503, 663
New Brunswick School Law, 580, 609
Public Buildings in Ontario, 597
Surveys of the St. Lawrence, 603
Copyrights Bill, 506, 642, 781
Reporting of Mr. Plumb's Speech, 638
Penitentiaries Bill, 640
Intercolonial Railway Bill, 653
North West Territories Act Amendment Bill, 653, 659, 1033, 1049
Northern Railway Bill, 662
Northern Railway Lien Bill, 688
Canada Central Railway Subsidy, 698
Civil Service Reform, 715
Esquimalt and Nanaimo Railway Bill, 732, 949, 952, 962
Insolvency Bill, 831
International Arbitration, 857
Naval Station at Esquimalt, 261
Quebec Graving Dock Bill, 861, 905, 948
L'Assomption Bridge Bill, 894
Supreme Court Bill, 979, 981
Reimbursement of Mr. D. A Smith, M. P., 1000
Responsible Government, 1007
General Railways Act Amendment Bill, 1028
Reimbursement of Mr. R. S. M. Bouchette, 1039
Prohibitory Liquor Law, 1056
Pacific Railway Contracts, 1073

Manitoba
Claims to Unpatented Lands—Question, Mr. Ryan ; Answer, Hon. Mr. Laird, 197
Mounted Police, 332
Conflicting Claims to Land Bill, 1 R., 793 ; 2 R., 930 ; 3 R., 931
Manitoba Act Amendment Bill, 931

Marks on Casks Bill
1 R., 581 ; 2 R. and 3 R., 736

Marine Telegraph Bill
1 R., 28 ; 2 R., 241 ; 3 R., 426 ; Amendments from Senate, 870

Marine Hospitals
Question, Mr. Forbes ; Answer, Hon. D. A. Macdonald, 599

Marine Hospital at Sydney, 397

MASSON, Mr.
Copy of His Excellency's Commission —Motion for, 21
Lepine Commutation — Motion for correspondence relating to, 21, 24, 28
Menonite Loan, 249, 378
Military College, 253
Dominion Force in Manitoba, 254
Canadians in the United States, 261
Outlawry of Riel, 313, 315
Manitoba Mounted Police, 332
Dawson Route, 448
Completeness of the Journals of the House, 501
Pacific Railway, 525, 533, 697
Eastern connection with the Pacific Railway, 770
New Brunswick School Law, 614, 632
Northern Railway Lien Bill, 786
Manitoba Act Amendment Bill, 931
Esquimalt and Nanaimo Railway Bill, 957
Supreme Court Bill, 972
Reimbursement of Mr. D. A. Smith, M. P., 997

METCALFE, Mr.
Insolvency Bill, 920

Menonites
Loan to, 249, 377
Emigration of—Question, Mr. Young ; Answer, Hon. Mr. Mackenzie, 141

Militia
Military College—Question, Mr. Masson ; Answer, Hon. Mr. Mackenzie, 253 ; discussion in supply, 393
Military Stores—Question, Mr. Haggart ; Answer, Hon. Mr. Cartwright, 253

Militia (continued)
Militia Estimates, 991
Militia—Question, Mr. Caron ; Answer, Hon. Mr. Vail, 325

Militia Act Amendment Bill
1 R., 29 ; 2 R., 290 ; 3 R., 325

Militia Men of 1812-14
Motion for statement respecting, 26

MILLS, Mr.
Protection of Life on Railways Bill, 138
Juvenile Military Education, 153
The Treaty of Washington and Canadian Fisheries, 210, 471
Postal Law Amendment Bill, 273
Outlawry of Riel, 312
The Agent-General, 377
Constitution of the Senate, 399, 420
Resolutions respecting Postal Service, 484, 486
New Brunswick School Law, 575
North-West Territories Bill, 661
Supreme Court Bill, 731, 972, 985
Insolvency Bill, 809
Agricultural Interests of the Dominion, 890
General Railways' Act Amendment Bill, 1028
Official Reports of the Debates, 1048

Ministerial Explanations of Changes in the Cabinet, 30

Miramichi Valley Railway
Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie, 704

Miramichi Bridges
Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie, 1089

MITCHELL, Hon. Mr.
Lepine Commutation, 25
Ministerial Explanations of Changes in the Cabinet, 33
The Budget, 192
Navigation of the Miramichi, 196
Canadian Shipping on Lake Michigan, 208
The Treaty of Washington and Canadian Fisheries, 210, 462
Indians of New Brunswick, 275
Militia Act Amendment Bill, 290, 325, 329
Telegraph Lines in British Columbia, 302
Gulf Ports' Postal Service, 302
Outlawry of Riel, 321
Debate on the Financial Statement, 351
The Agent-General, 371, 376
Constitution of the Senate, 422
Baie Verte Canal, 445
Resolutions respecting Postal Service, 484
Sick and Distressed Mariners Bill, 587
North-West Bill, 657
Pilotage, 705
Quebec and Gulf Ports' Steamship Company, 705
Chatham Branch Railway, 706
Section Sixteen, Intercolonial Railway, 706
The Plimsoll Bill, 708
Insolvency Bill, 813, 831
Export Duty on Oak Logs Repeal Bill, 885
Inspection of Fish Bill, 904
Quebec Trinity House Bill, 945
Supreme Court Bill, 968
Reimbursement of Mr. R. S. M. Bouchette, 1039

MONTEITH, Mr.
Pacific Railway, 685

Montreal Harbor Dues, 706

Montreal Registry Division, 707

Montreal Volunteers
Question, Mr. Devlin ; Answer, Hon. Mr. Vail, 898
MOSS, Mr.
Suppression of Gaming Houses Bill, 157, 804
Constitution of the Senate, 412
Supreme Court Bill, 746, 975, 978
Criminal Law Amendment Bill, 899, 1035
Toronto Harbour, 1022

MOUSSEAU, Mr.
Lepine Commutation, 24
Amnesty Resolutions, 110
Pacific Railway, 550
Insolvency Bill, 823
Supreme Court Bill, 923, 983, 986

Naturalization of Aliens
Motion for copies of correspondence relating to—(Mr. Young)—262

Naturalization of Aliens (continued)
Address to Her Most Gracious Majesty asking for certain amendments to the law respecting--(Mr. Young)—1079, 1082

Navigation of the Saguenay
Question, Mr. Cimon ; Answer, Hon. Mr. Mackenzie, 196

Navigation of the Miramichi
Question, Hon. Mr. Mitchell ; Answer, Hon. Mr. Mackenzie, 196

Newspaper Postage
Question, Mr. Irving ; Answer, Hon. D. A. Macdonald, 35

New Members, 2

Niagara Frontier
Movements of 1866—Return of correspondence relating to—(Hon. Mr. Vail)—28

New Brunswick
Usury Bill—1 R., 396 ; 2 R., 803 ; 3 R., 898
Harbours, 474
Liquor Licenses, 705

New Brunswick School Law—Motion—
That an Address be presented to Her Majesty, on the subject of the law respecting Common Schools adopted by the Legislature of New Brunswick in 1871, and praying for the passing of an Act making certain amendments to the British North America Act of 1867—(*Mr. Costigan*)—555
Debate Adjourned, 58
Resumption of the adjourned debate on the motion of Mr. Costigan, 609
Motion in amendment—
That all the words after "that" in the original resolution be omitted, and the following substituted—"In the opinion of this House, legislation by the Parliament of the United Kingdom encroaching on any powers reserved to any one of the Provinces by the British North America Act would be an infraction of the Provincial Constitution, and that it would be inexpedient and fraught with danger to the autonomy of the Provinces for this House to invite such legislation."—(*Hon. Mr. Mackenzie*)—611

Motion in amendment to the amendment—
That on the 29th of May, 1872, the House of Commons adopted the following resolution:—"This House regrets that the School Act recently passed in New Brunswick is unsatisfactory to a portion of the inhabitants of that Province, and hopes that it may be so modified during next session of the Legislature of New Brunswick as to remove any just grounds for the dissatisfaction that now exists." That this House regrets that the hope expressed in the said resolution has not been realized, and that an humble Address be presented to Her Most Gracious Majesty the Queen embodying this resolution, and praying that Her Majesty will be graciously pleased to use her influence with the Legislature of New Brunswick to procure such a modification of the said Act as shall remove such grounds of discontent.—(*Hon. Mr. Cauchon*)—613
Motion that the debate be adjourned, 613
Motion, as amended, carried, 634
Motion for copies of the despatch of 7th November, 1873, from the Imperial Government, relating to the decision of the Privy Council—Mr. Tremblay, 707

NORRIS, Mr.
Canadian Shipping on Lake Michigan—Address to His Excellency, 206
Welland Canal, 454, 593
Insolvency Bill, 878

Northern Railway Lien Bill
1 R., 688 ; 2 R., 786 ; 3 R., 795

North-West Difficulties
Question, Hon. Mr. Holton ; Answer, Hon. Mr. Mackenzie, 19
Motion for the presentation of an Address to Her Most Gracious Majesty the Queen praying for an amnesty to all persons concerned in the Red River rebellion, with certain exceptions—(Hon. Mr. Mackenzie)—50

Motion in amendment, condemning Ministers for not advising His Excellency, in regard to the Lepine commutation, and praying for a full and unconditional amnesty—(Mr. Mousseau)—116

Motion in amendment to add certain statements from the evidence laid before the Committee of Enquiry, 135

Question of Privilege, Mr. D. A. Smith, 1060, 1076

North-West, The
Surveys of Lands, 304
Mounted Police, 989
Administration of Justice Bill, 1 R., 423 ; 2 R. and 3 R., 585
Salaries and Expenses of the new Council, 598
Bill for the Government of—1 R., 653; 2 R., 1033 ; 3 R., 1048
Resolutions respecting the Government of—736

Northumberland West
The late member for—Question of Privilege—Hon. Mr. Tupper, 967

Notes of Chartered Banks
Question, Mr. Macdougall (Elgin) ; Answer, Hon. Mr. Cartwright, 398

Nova Scotia
Harbours, &c., 474
Salaries of County Court Judges Bill, 2 R., 587 ; 2 R., 794 ; 3 R., 869

Oak Logs
Bill to repeal the duty upon, 1 R., 944; 2 R., 1049 ; 3 R., 1050

Oaths of Office, 3

Official Assignees
Question, Mr. White ; Answer, Hon. Mr. Mackenzie, 398

Official Reports of the Debates
Question, Mr. Cheval ; Answer, Hon. Mr. Fournier, 398
Observations, Mr. Ross (Middlesex), 653
Report of the Committee, 1047

OLIVER, Mr.
Railway Act Amendment Bill, 33
Protection of Life on Railways Bill, 138
Railway Carrying Trade, 140
Juvenile Military Education, 155
Postal Law Amendment Bill, 270
Resolutions respecting Postal Service, 481
Pacific Railway, 684
Insurance Bill, 785
Prohibitory Liquor Law, 804, 1054

Ontario Public Buildings, 450, 597

Ordnance Lands at Fredericton
Question, Mr. Domville ; Answer, Hon. Mr. Mackenzie, 555
Address to His Excellency, 707

Orders of the Day
Changes Suggested, 773

ORTON, Mr.
New Brunswick School Law, 580
Insolvency Bill, 829
Agricultural Interests of the Dominion, 887

Ottawa Public Buildings, 447

OUIMET, Mr.
Amnesty Resolutions, 123
Insolvency Bill, 813, 879
Supreme Court Bill, 938, 941, 969

Pacific Railway
Motion for an Address to His Excellency for correspondence—Mr. DeCosmos—206
Surveys of—Question, Mr. Cunningham ; Answer, Hon. Mr. Mackenzie, 212
Question, Hon. Mr. Blake ; Answer, Hon. Mr. Mackenzie, 261
Question, Mr. Thompson (Cariboo) ; Answer, Hon. Mr. Mackenzie, 1003
Question, Mr. Schultz ; Answer, Hon. Mr. Mackenzie, 1070
Question, Mr. Wright (Pontiac); Answer, Hon. Mr. Mackenzie, 1090
Question, Hon. Mr. Tupper ; Answer, Hon. Mr. Mackenzie, 1091
Eastern connection with, 770
Survey Accounts—Motion for a Committee—Mr. Wallace, 222
Estimates for, 503
Government policy regarding—Motion for concurrence in Estimates, and debate thereon, 663
Motion in amendment to the motion for concurrence—
That in view of the engagements entered into during the past year between the Government of Canada and the Imperial Government and British Columbia, to build a railroad without delay from Nanaimo to Esquimalt, on Vancouver's Island, and to expend not less than $2,000,000 per annum in British Columbia on the Canadian Pacific Railroad ; and to complete the construction of the line from the Pacific Ocean to the shore of Lake Superior in fifteen years, this House is of opinion that no time should

Pacific Railway (continued)
be lost in beginning the Eastern portion of the Canadian Pacific Railroad, and constructing it as rapidly as is consistent with a due regard to economy from the point fixed by Parliament at or near to the South of Lake Nipissing Westward to Lake Nepigon, and thence to Red River, commencing at Lake Nepigon and working Eastward and Westward; and that the Government should employ the available funds of the Dominion in the first place for the completion of that great national work—a continuous railway on Canadian Territory by the shortest route from the Atlantic to the Pacific Ocean.—(*Hon. Mr. Tupper*)—696
The amendment having been lost, and so declared, and the question being again put, it was moved in amendment—
That this resolution be not now concurred in, but that it be resolved that in the opinion of this House no contract shall be entered into with any Company for the construction of the Georgian Bay Branch of the Pacific Railway, nor any subsidy granted for the construction of the Railway from the Eastern terminus of said Pacific Railway to Douglas or near Douglas, until a thorough and complete instrumental survey shall have been made of the route proposed, and the route to the Matawan, to ascertain which would be the shorter and more economical of construction.—(*Mr. Masson,*) 697
Contracts for Construction, 1073
Telegraph Lines in connection with, 1011, 1050

PALMER, Mr.
Interest and Usury in New Brunswick Bill, 396
Constitution of the Senate, 406
Baie Verte Canal, 442, 650
New Brunswick School Law, 577
Fredericton Branch Railway (Question of Privilege), 702
Civil Service Reform, 714
Supreme Court Bill, 737, 926, 971, 978
Insolvency Bill, 810, 876, 912, 917
Esquimalt and Nanaimo Railway Bill, 960

Parliament
Opening of, 1
Prorogation of, 1095

Patents, 782

PATERSON, Mr.
Mennonite Loan, 390
Laws in reference to Indians, 397
Pacific Railway, 690
Prohibitory Liquor Law, 736

Payments to Indians of the North West (according to the Provisions of Treaty No. 4), 1037

PELLETIER, Mr.
Militiamen of 1812-14, 26

Penetentiaries Bill
1 R., 306; 2 R., 472; 3 R., 640

Penitentiaries Expenditure, 990

Pensioners and their Compensation; 392

PERRY, Mr.
Steam Communication between Prince Edward Island and Pictou, 222
Land Purchase Act of 1874, 707

Peterson Divorce Bill
1 R., 687; 2 R., 766; 3 R., 802

Philadelphia Exhibition, 248, 334, 1017

PICARD, Mr.
Amnesty Resolutions, 126
New Brunswick School Law, 567
Fredericton Branch Railway—(Question of Privilege), 701

Pictou Harbour, 708

PilotageAct Amendment Bill
1 R., 795; 2 R. and 3 R., 873
Resolutions respecting, 397
Address respecting, 705

PLATT, Mr.
Toronto Harbour, 1021

Plimsoll Bill
Question, Hon. Mr. Mitchell; Answer, Hon. Mr. Smith, 904
Question, Mr. Palmer; Answer, Hon. Mr. Smith, 1079
Address respecting, Hon. Mr. Mitchell, 708
Observations, Mr. Goudge, 929

Plumb, Mr.
Reporting of Speech, 635, 641

PLUMB, Mr.
Amnesty Resolutions, 64
Juvenile Military Education, 154
The Budget, 194
Dominion Notes Bill, 306
Outlawry of Riel, 315

Discussion on the Financial Statement, 356
Constitution of the Senate, 409
Baie Verte Canal, 439, 652
Welland Canal, 455
Controverted Elections, 493
Surveys of the St. Lawrence, 605
Commercial Reciprocity with the United States, 606, 835
International Arbitration, 856
Messrs. Fraser, Reynolds and Company, —Question of Privilege, 866
Expenses of Reciprocity negotiations, 1010
Pacific Railway Telegraph, 1050
Prohibitory Liquor Law, 1055
Naturalization of Aliens, 1086

POPE, Hon. J. H.
Amnesty Resolutions, 128
Menonite Loan, 251, 390
Veterans of 1812-14, 252
Militia Act Amendment Bill, 330
The Agent General, 374
Export Duty on Oak Logs, 886

Postal Law Amendment Bill
1 R., 139 ; 2 R., 266 ; 3 R., 639
Resolutions respecting, 475
Discussion of Bill in Committee, 581
Address to His Excellency, 1048

Postal Delivery
Question, Mr. Irving ; Answer, Hon. D. A. Macdonald, 35

Post Office Money Orders
Question, Mr. Landerkin ; Answer, Hon. Mr. Cartwright, 197

Postal Service, Gulf Ports, 302

Post Office Estimates, 303

Port Caledonia and Little Glace Bay Harbours—Question, Mr. Macdonald, (*Cape Breton*) ; Answer, Hon. Mr. Mackenzie, 887

POULIOT, Mr.
Menonite Loan, 388
New Brunswick School Law, 630
Insolvency Bill, 812

Prepayment of Mail Matter
Question, Mr. Burpee, (*Sunbury*) ; Answer, Hon. D. A. Macdonald, 197

Prince Edward Island Railway, 300, 768

Prince Edward Island Harbours and Break-Waters, 705

Printing Committee
Motion that Message be sent to the Senate requesting their Honours to appoint a committee to act in conjunction with the Committee of the House of Commons.—(*Mr. Ross, Middlesex*), 33

Prohibitory Liquor Law—Motion—
That the House go into Committee on Resolutions declaring the expediency of the total prohibition of the importation, manufacture and sale of spirituous liquors. (*Mr Ross, Middlesex*), 715

Motion in amendment,
That all the words after "that" in the original resolution be left out, and that the following be inserted in lieu thereof :—*Resolved*, that in the opinion of this House a Prohibitory Liquor Law is the only effectual remedy for the evils of intemperance, and that it is the duty of the Government to submit such a measure for the approval of Parliament at the earliest moment practicable—(*Mr Schultz*), 734
Debate adjourned, 736
Debated resumed, and motion made in amendment to the Amendment :
That all the words after "that" in the amendment be struck out, and the following substituted :—"That this House do forthwith resolve itself into Committee of the Whole to consider the means best calculated to diminish the evils of intemperance." —(*Mr. Oliver*), 804
Subject further considered, 1016
Motion made
That this House do forthwith resolve itself into Committee of the Whole to consider the following resolution :—"That having regard to the beneficial effects arising from Prohibitory Liquor Laws in those States of the American Union where the same are fully carried out, this House is of opinion that the most effectual remedy for the evils of intemperance would be to prohibit the manufacture, importation, and sale of intoxicating liquors."—(*Mr. Ross, Middlesex*) 051

Proceedings of 31st March, and 9th April, 1874—Motion that the entry upon the Journals of the House be read—*Mr. Bowell*, 26

Promissory Notes, 195

Protection to Life on Wharves and Docks Bill, 1 R., 196 ; 2 R., 803

Protection of Life on Railways Bill
1 R., 137 ; 2 R., 274 ; 3 R., 777

Public Debt Bill
1 R., 2 R., and 3 R., 586

Public Works
Report presented, 4
Works on the Saguenay—Question, Mr. Cimon ; Answer, Hon. Mr. Mackenzie, 35
Bill for the better Preservation of Peace in the vicinity of ; 1 R., 139 ; 2 R., and 3 R., 274

Public Reports
Report presented, 18
Motion to lay before the Select Standing Committee—(*Mr. Young,*) 33
Explanations in reference to, 1080

Quebec
Public Buildings in, 450
Trinity House—Resolutions respecting, 756
Question, Mr. Frechette ; Answer, Hon. Mr. Mackenzie, 764
Bill relating to, 1 R., 833; 2 R., 944 ; 3 R., 1027
Graving Dock, Resolutions respecting, 707
Bill respecting, 1 R., 861 ; 2 R., 984 ; 3 R., 948
Discussion in Committee, 905

Quebec and Gulf Ports Steamship Co., 705

Railway Returns Bill
1 R. and 2 R., 266 ; 3 R., 898

Railway Properties Bill
1 R., 807 ; 2 R., 1016—Order discharged

Railway Companies' By-Laws, 454

Railway Carrying Trade
Question, Mr. Oliver ; Answer, Hon. Mr. Mackenzie, 140

Railway Act Amendment Bill
1 R., 33 ; 2 R., 472—Order discharged

Reciprocity with the United States
Motion—
"That an Address be presented to His Excellency the Governor-General, praying that he will be pleased to cause to be laid before this House all the correspondence, despatches and papers connected with the negotiations of the Government of the United States for a Treaty of Commercial Reciprocity—(*Mr. Plumb*)—835
Question, Mr. Wallace (*Norfolk*) ; Answer, Hon. Mr. Mackenzie, 1002
Motion for a return of the expenses of the negotiations, 1010

Refreshment Room of the House, 219

Register and Classification of Shipping
Resolution, 256
Expenses of, 498

Regulation of Railway Traffic Bill
1 R., 34 ; 2 R., 266—Order discharged

Repeal of Chap. 14, N. S. Statutes Bill
1 R., 2 R., 3 R., 29

Responsible Government
Resolutions affirming the doctrine that His Excellency the Governor-General must act upon the advice of his responsible advisers, and not of his own motion in allowing or disallowing Provincial Acts—(Hon. Mr. Blake)—1003

Reimbursement of Mr. D. A. Smith, M. P.
Discussion in supply, 996, 1041

Reimbursement of Mr. R. S. M. Bouchette
Discussion in Supply, 1039

Reimbursement of Parties Engaged in the North-West Troubles
Discussion in Supply, 1046

Reserve Militia
Enrolment of—Question, Mr. Little ; Answer, Hon. Mr. Mackenzie, 261

RICHARD, Mr.
International Arbitration, 847
Insolvency Bill, 913

Rideau Canal, 769

Rideau River
Bridging of—Question, Mr. Rochester ; Answer, Hon. Mr. Mackenzie, 398
Estimates to cover expenses, 596

Riel, Mr.
Notice of motion that he be expelled from the House—(Hon. Mr. Mackenzie)—139
Withdrawal of notice relating to—Mr. Bowell—144
Motion—
"That the record in the case of Louis Riel, laid on the table of the House on the 22nd inst. be now read"—(*Hon. Mr. Mackenzie*)—307
Also moved—
"That it appears by the said record that Louis Riel, a member of this House, has been adjudged an outlaw for felony"—(*Hon. Mr. Mackenzie*)—308
Motion in amendment—
"That all the words after 'that' in the original motion be struck out and the fol. lowing inserted—'It appears on the face of the record of the proceedings brought before this House that no legal or valid judgment of outlawry has been rendered against the said Louis Riel, member for Provencher, and it also appears from the same record that the said Louis Riel, having been indicted for murder, has not been arrested, nor appeared, nor pleaded to the said indictment, nor surrendered to take his trial thereon, but has been and continues to be voluntarily absent and a fugitive from justice from the Province of Manitoba. Be it therefore resolved that the said Louis Riel be and he is hereby expelled from this House"—(*Mr. Plumb*)—315

Rifle Associations, 395

ROBITAILLE, Mr.
Direct route between Canada and Europe, 706
Quebec Graving Dock, 707

ROCHESTER, Mr.
Protection of Life on Railways Bill, 138
Juvenile Military Education, 150
Menonite Loan, 382
Supervisor of Cullers Bill, 756, 868
Reimbursement of Mr. D. A. Smith, M. P., 1042

Rockwood Asylum, 333

ROSCOE, Mr.
Boundary line between British Columbia and Alaska, 199
Survey of Dominion Lands in British Columbia, 217
Naval Station at Esquimalt, 261
Pacific Railway, 680

Ross, Mr. (*Prince Edward*)
Juvenile Military Education, 155
Outlawry of Riel, 319
Insolvency Bill, 826
Reimbursement of Mr. D. A. Smith, M. P., 996

Ross, Mr. (*Middlesex*)
Expenses of Special Committee, 27
Message to the Senate regarding Printing Committee, 33
Census Volumes, 198
Votes and Proceedings, 263
Menonite Loan, 382
Resolutions respecting Postal Service, 485
Reporting of the Debates, 653
Report of the Printing Committee in relation to official reporting, 1047
Pacific Railway, 676
Prohibitory Liquor Law, 715, 1017, 1051, 1052

Rules of the House, 1088

RYMAL, Mr.
Amnesty resolutions, 129
Pacific Railway Survey Accounts, 230
Prohibitory Liquor Law, 733
Insolvency Bill, 820, 918

RYAN, Mr.
Amnesty resolutions, 101
Allotment of Lands to half-breeds, 196
Claims to unpatented land in Manitoba, 197
Pacific Railway, 666

Saguenay and Gaspe
Salaries of Judges — Question, Mr. Cimon; Answer, Hon. Mr. Fournier, 598

Sanitary Bureau
Question, Mr. Brouse; Answer, Hon. Mr. Mackenzie, 14

SCATCHERD, Mr.
The Lepine Commutation, 24
Juvenile Military Education, 154
The member for Centre Wellington—(Question of Privilege),— 323
Welland Canal, 455
Insolvency Bill, 822, 829, 833
Supreme Court Bill, 943, 975

Scatcherd, Mr. (continued)
Reimbursement of Mr. R. S. M. Bouchette, 1038
Reimbursement of Mr. D. A. Smith, M. P., 1044

SCRIVER, Mr.
Amnesty Resolutions, 128
International Money Order System, 198

Seamen's Act Amendment Bill
1 R., 781 ; 2 R. and 3 R., 948

Select Standing Committees
Special Committee to strike, 26
Committee's Report presented, 28
Motion for certain changes in the constitution of—(Hon. Mr. Holton)—34

Senate, The
Constitution of—Resolution—
"That the present mode of constituting the Senate is inconsistent with the Federal principle in our system of Government, makes the Senate independent alike of the people and the Crown, and is in other material respects defective ; and that our Constitution ought to be so amended as to confer upon each Province the power of selecting its own Senators, and to define the mode of their selection" —(*Mr. Mills*)—399
Order discharged, 804

Shipping
Communication between Prince Edward Island and Pictou—Res., 319
Question, Mr. Perry ; Answer, Hon. Mr. Mackenzie, 834

Shipping on Lake Michigan
Motion for an Address calling attention to the practices permitted by the United States Government in connection with—(Mr. Norris)—205

Shipmasters' Certificates, 873

Shortest Route to Europe, 1016

SCHULTZ, Mr.
The Dawson route, 449
North-West Bill, 660
Pacific Railway, 686
Prohibitory Liquor Law, 733
Reimbursement of Mr. D. A. Smith, M. P., 998
Pacific Railway Telegraph, 1013
Indian Schools, 1024
North-West Troubles, 1069, 1077

Sick and Distressed Mariners Bill
1 R., 587 ; 2 R., 801 ; 3 R., 869

SINCLAIR, Mr.
Steam Communication between Prince Edward Island and Pictou, 220
Prince Edward Island Railway, 301, 768
Baie Verte Canal, 444
New Brunswick School Law, 577

SMITH, Mr. (*Peel*)
Prohibitory Liquor Law, 723

SMITH, Mr. D. A. (*Selkirk*)
Menonite Loan, 379
North-West Bill, 659
Pacific Railway, 681, 687
Reimbursement of Mr. D. A. Smith, M. P., 998
North-West Troubles, 1060, 1076

SMITH, Hon. A. J. (*Westmoreland*)
Sanitary Bureau, 140
Construction of Life Boats, 141
The Budget, 193
Isle of Haute Lighthouse, 197
Storm signals, 261
Emigration—Changes in the Law—475, 586
Harbour Masters Bill, 586
Sick and Distressed Mariners Bill, 587, 639
New Brunswick School Law, 630
Seamans' Act Amendment Bill, 781
Quebec Trinity House Bill, 945

Sorel Custom House
Question, Mr. Barthe ; Answer, Hon. Mr. Mackenzie, 886

SPEAKER, Mr.
Reports of Election Judges, 1
Warrants for Elections, 1
Notifications of Vacancies, 2
New Members, 2
Lepine Commutation Correspondence, 28, 554
Internal Economy of the House, 33
North Wellington Election, 177
South Huron Election Return, 195
The member for Centre Wellington, 260
Completeness of the Journals of the House, 502
New Brunswick School Law—Ruling on a point of order, 633

Speaker, Mr. (continued)
Protection of Life on Wharves and Docks' Bill—Ruling on a point of order, 807
Divorce Court—Ruling, 861
Powers of the Senate in regard to the Amendment of Bills, 1072

Speech from the Throne
At the opening of Parliament, 2
At the prorogation of Parliament, 1094

Speedy Trials Bill
1 R., 212 ; 2 R., 803 ; 3 R., 898

Statistics
Res., 203 ; Res., 289

Statistical Department in Nova Scotia, 247

STEPHENSON, Mr.
Protection of Life on Railways Bill, 138
Insolvency Bill, 818

Steam Service between San Francisco and Victoria, B. C., 255

Storm Signals
Question, Mr. Forbes ; Answer, Hon. Mr. Smith, 261

St. Ann's Locks, 433, 596

St. Croix River
Question, Mr. Gillmor ; Answer, Hon. Mr. Mackenzie, 835

ST. JEAN, Mr.
Amnesty Resolutions, 126

St. John, N. B.
Ballast Wharf—Question, Mr. Domville ; Answer, Hon. Mr. Mackenzie, 197
Penitentiary, 33

St, Lawrence River
Question, Mr. Blain ; Answer, Hon. Mr. Mackenzie, 20

St. Lawrence Canals
Questions, Mr. Wood ; Answers, Hon. Mr. Mackenzie, 20, 429
Estimates for construction of, 590
Motion for returns of the Surveys of—(Mr. Blain)—600

St. Peter's Canal
Question, Mr. Campbell ; Answer, Hon. Mr. Mackenzie, 433

Subsidies to Railways
Question, Mr. Cimon ; Answer, Hon. Mr. Mackenzie, 35

Suits Against the Crown Bill
1 R., 139 ; 2 R., 803 ; 3 R., 1016

Summary Trials Bill
1 R., 2 R., and 3 R., 642

Supervisor of Cullers Bill
1 R., 589 ; 2 R., 756 , 3 R., 867

Supplementary Estimates
Question, Hon. Mr. Holton ; Answer, Hon. Mr. Cartwright, 300

Supply Bill
1 R., 1049 ; 2 R., 1073 ; 3 R., 1087

Supreme Court
Bill for the Establishment of—1 R., 284 ; 2R., 737 ; 3 R., 968
Discussion of Bill in Committee, 921, 932
Salaries of Judges to be Appointed, 737

Suppression of Gaming Houses Bill
1 R., 157 ; 2 R., 804 ; 3 R., 898

Tariff, The
Alteration of—Question, Mr. Wallace (*Norfolk*) ; Answer, Hon. Mr. Mackenzie, 1002

TASCHEREAU, Mr.
Supreme Court Bill, 738, 940, 969

Tea Duties
Question, Hon, Mr. Tupper ; Answer, Hon. Mr. Cartwright, 1088

Thibergе, Mr.
The Petition of—Question, Mr. Taschereau ; Answer, Hon. Mr. Fournier, 764

THOMPSON, Mr. (*Haldimand*)
Prohibitory Liquor Law, 733

THOMSON, Mr. (*Welland*)
Welland Canal, 432
New Brunswick School Law, 576
Northern Railway Bill, 790
Insolvency Bill, 918

THOMSON, Mr. (*Cariboo*)
Navigation of the Fraser River, 198
Boundary between British Columbia and Alaska, 202
Pacific Railway, 552, 663, 692
Insolvency Bill, 818, 913, 921
Prohibitory Liquor Law, 1051, 1059

Toronto Harbour
Motion for a return of Reports of Surveys, Mr. Wilkes, 141
Observations, Mr. Platt, 1021

Trade Returns, 18

Training of Militia, 393

Treaty of Washington
Question, Mr. Palmer ; Answer, Hon. Mr. Mackenzie, 555
Motion for copies of correspondence respecting entering of fish and fish oil of British Columbia—(Mr. De Cosmos)—707
Violation of by the United States—Observations, Mr. Jones (*Halifax*). 774

TREMBLAY, Mr.
Menonite Loan, 386
Lumber exportation from Chicoutimi and Saguenay, 706
Motion for copies of correspondence with Imperial Authorities in reference to New Brunswick School Law, 707
Supervisor of Cullers Bill, 758

TROW, Mr.
Menonite Loan, 250, 381
Dominion Force in Manitoba, 254

TUPPER, Hon. Mr.
Intercolonial Railway, 20
The Budget, 168, 189, 334
Motion for return of tenders for the construction of the Georgian Bay Branch of the Pacific Railway, 209
Motion for an Address to His Excellency respecting loan of 1874, 209
Insolvency Bill, 822, 912
Marine Electric Telegraphs Bill, 871
Statistical Department in Nova Scotia 247
Spring Hill Branch of the Intercolonial Railway, 262
Statistics, 289
Civil Service (Outside Department), 295
Manitoba Mounted Police, 332
Baie Verte Canal, 435, 643
The Dawson Route, 450
Resolutions respecting Postal Service, 478
Pacific Railway, 513
Pacific Railway Contracts, 1073
Pacific Railway Telegraph, 1011
Sick and Distressed Mariners Bill, 588
Controverted Elections Bill, 797
Weights and Measures, 897
Quebec Graving Dock Bill, 906
Conflicting Claims to Lands in Manitoba Bill, 931
Esquimalt and Nanaimo Railway Bill, 951, 952, 962
Welland Canal, 987
General Railways Act Amendment Bill, 1019, 1032
Reimbursement of Mr. D. A. Smith, M. P., 1044

Vacancies since General Election, 233

Vacancies—Notifications of, 2

VAIL, Hon. Mr.
Veterans of 1812-14—19, 252
Niagara Frontier Movements of 1866, 28
Militia Act Amendment Bill, 29, 290, 325, 328
Toronto Drill Shed, 33
Juvenile Military Education, 150, 155
Public Armories, 253
Dominion Force in Manitoba, 254

Veterans of 1812-14
Question, Mr. Delorme ; Answer, Hon. Mr. Vail, 19
Pensions to—Question, Mr. Kirkpatrick ; Answer, Hon. Mr. Cartwright, 252
Question, Mr. Stephenson ; Answer, Hon. Mr. Mackenzie, 554
Question, Mr. Delorme ; Answer, Hon. Mr. Vail, 764
Question, Mr. Brouse ; Answer, Hon. Mr. Vail, 835
Question, Mr. Brouse ; Answer, Hon. Mr. Vail, 897

Victoria, N. B.
Petition relating to the election for—809, 933

Voluntary Militia Organizations
Question, Hon. Mr. Cauchon ; Answer, Hon. Mr. Mackenzie, 212

Volunteers in Manitoba
Motion for an Address to His Excellency respecting — (Sir John Macdonald)—234

Votes and Proceedings, 263

WALLACE, Mr. *(Norfolk)*
Amnesty Resolutions, 98
Pacific Railway Survey Accounts, 222, 228, 232
Constitution of the Senate, 417
Esquimalt and Nanaimo Railway Bill, 960

Way Offices
Question, Hon. Mr. Tupper ; Answer, Hon. D. A. Macdonald, 1087

Way Office System in Nova Scotia
Question, Mr. Borden ; Answer, Hon. D. A. Macdonald, 765

Weights and Measures, 298, 896

Welland Canal
Question, Mr. Wood ; Answer, Hon. Mr. Mackenzie, 20
Discussions regarding, 431, 454, 590, 987

Wellington (Centre)
The member for—(Question of Privilege)—260, 322, 324

Wellington (North) Election
Report of Judge, 177, 259

West Indies
Steam Communication with—Question, Mr. Young ; Answer, Hon. D. A. Macdonald, 141
Mail Service to—Question, Mr. Forbes; Answer, Hon. D. A. Macdonald, 261

Whitby Harbour, 772

WHITE, Mr.
The Dawson Route, 450
Pacific Railway, 688
Prohibitory Liquor Law, 806, 1057
Insolvency Bill, 820
Esquimalt and Nanaimo Railway Bill, 951
Supreme Court Bill, 968
Reimbursement of Mr. D. A. Smith, M. P., 996, 1041

WILKES, Mr.
Toronto Drill Shed, 33
Toronto Harbor, 141, 1021
Dominion Notes Circulation, 456
Resolutions respecting Postal Service, 483
Montreal Harbour Dues, 706
The Kitson Line of Steamers, 706
Prohibitory Liquor Daw, 732
Supreme Court Bill, 751
Northern Railway Lien Bill, 791
Insolvency Bill, 825

Wooden and Iron Buildings, 19

WOOD, Mr.
Court of Admiralty, 19
Welland Canal, 20, 595
St. Lawrence Canals, 20
Inspection of Insurance Companies, 20
Georgian Bay Branch of the Pacific Railway, 140
Toronto Harbour, 143, 1021
Canadian Shipping on Lake Michigan, 208
Civil Service (Outside Department), 294
Northern Railway Lien Bill, 787
Insolvency Bill, 911
Philadelphia Exhibition, 1019

WRIGHT, Mr. Alonzo *(Ottawa)*
New Brunswick School Law, 567
Export Duty on Oak Logs, 882, 884

WRIGHT, Mr. W. M. *(Pontiac)*
Amnesty Resolutions, 124
Connection of Lakes Huron and Superior by Canal, 255
Militia Act Amendment Bill, 326
Pacific Railway, 534
New Brunswick School Law, 573, 614
Export Duty on Oak Logs, 884
Supreme Court Bill, 969

YEO, Mr.
Harbours and Breakwaters of Prince Edward Island, 705

Youll, Mr. Alex.
The case of, 707

YOUNG, Mr.
Official Reports, 5, 1047
Public Accounts, 33
Common Carriers, 140
Steam Communication with the West Indies, 141

Young, Mr. (continued)
Menonite Emigration, 141
Menonite Loan, 380
Juvenile Military Education, 152
Naturalization of Aliens, 262, 1079, 1082
Postal Law Amendment Bill, 272, 479, 485
Intercolonial Railway Estimates, 298
Statistics, 203, 487, 582
Insurance Act Amendment Bill, 453
Surveys of the St. Lawrence River, 604
Civil Service Resolutions, 759, 762
Insolvency Bill, 816, 912
Weights and Measures, 897
Reimbursement of Mr. R. S. M. Bouchette, 1039
Prohibitory Liquor Law, 1052

EXPLANATION OF CONTRACTIONS.

Whenever, in the foregoing Index, 1 R., 2 R. or 3 R., is affixed to the notice of a Bill, it signifies that the Bill has been read a first, second, and third time, as the case may be. Res., affixed to the notice of a subject signifies that a resolution has been submitted to the House in connection therewith.

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